

ATTICA IS:
REVOLUTIONARY CONSCIOUSNESS, COUNTERINSURGENCY
AND THE DEFERRED ABOLITION OF NEW YORK STATE PRISONS

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ABSTRACT

Orisanmi Burton: Attica Is: Revolutionary Consciousness, Counterinsurgency and the Deferred
Abolition of New York State Prisons
(Under the direction of Charles R. Price)

Attica Is tells the story of how multiple, loosely affiliated groups of imprisoned activist-intellectuals engaged in a protracted war against the inhumanity of prisons in New York State. The narrative begins in 1970 by demonstrating how - through a series of consciousness-raising activities and concerted political actions culminating in the Attica prison rebellion of 1971 - imprisoned people throughout New York State achieved a new “revolutionary consciousness” which threatened to abolish the prison system. It then demonstrates how prison authorities in New York State sought to contain and diffuse the revolutionary thrust of the rebellion by launching a counterinsurgency which included the deployment of repressive violence as well as a series of putatively progressive prison reforms. The state’s response to the rebellion had a profound impact on the future development of incarceration techniques in New York State but it failed to eliminate organized resistance. Following the rebellion, new communities of imprisoned activist-intellectuals formed in order to preserve and extend the life of the struggle. This dissertation examines two such groups. From 1972 to 1992 a group of imprisoned activist-intellectuals called “The Think Tank” struggled actualize the insights and demands generated during the rebellion by appropriating the tools of formal scholarship, public policy and research. From 1992 to the present, a group of currently imprisoned activist-intellectuals known as “The Black Consciousness Coalition,” have fought keep the memory of Attica and the Think Tank

alive, while also struggling to preserve their humanity, dignity and masculinity within and against the dehumanization of state captivity.

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LIST OF ABBREVIATIONS

ALF	Attica Liberation Faction
BCC	Black Consciousness Coalition
BLA	Black Liberation Army
BPP	Black Panther Party
BRT	Black Radical Tradition
CNUS	Center for NuLeadership on Urban Solutions
COINTELPRO	Counter Intelligence Program
Jaycees	Junior Chamber of Commerce
LEAA	Law Enforcement Assistance Administration
LIC	Long Island City Branch of the Queens House of Detention
MARC	Metropolitan Applied Research Center
Master Plan	The 1973 Multi-Year Master Plan
Revised Master Plan	New York State Correctional Services Master Plan, 1980-1985
NY DOCCS	New York State Department of Corrections and Community Supervision
PMP	Prison Moratorium Project
SHU	Special Housing Unit, or solitary confinement
SIO	Sanctioned Inmate Organization
Sing Sing	Ossining Prison
The Tombs	Manhattan House of Detention

Chapter 1

The Persistence of Attica: Continuities of Resistance and the Role of History in the Carceral Struggle

Attica was the piercing scream [sic] that penetrated both time and space to take its place in human history. Attica was a political experience that made a vice-president out of a governor. Attica was the primal pain that purged a repressed system. Attica was negative and positive. It was cruel and inhuman. It was bold and liberating. Attica was a social, political, economic statement that defined the American experience of raw power and its relationship to a laboring mass of its people. Attica is people reaching out for self-respect and human dignity in a living situation that was void of those basic human values. Attica is the exercise of our first amendment right to free expression that was paid for in blood and bone.

Attica is our heritage and our beginning.

-Gary McGovern¹

Attica Is combines my long-standing support for and participation in movements for Black liberation and prison abolition. In 2005, before pursuing graduate study, I worked as a youth organizer and educator. Under the mentorship of Kyung-Ji Rhee and Rashid Shabazz, two long time prison activist, I served as Program Coordinator for a summer youth academy at the Brooklyn-based Prison Moratorium Project (PMP), an organization dedicated to arresting prison construction in New York State. I developed and facilitated an intensive political education curriculum for formerly incarcerated youth. We were actively trying to raise the consciousness of young people that had been directly affected by the criminal justice system. Drawing upon the work of Paulo Freire (2000), we trained the participants to become peer educators in their home communities. Through this process, I was exposed to different theories of organization and

¹ "Attica: Its Meaning and Freedom." Gary McGovern. September 12, 1976. Gary McGovern and Marguerite Culp Papers. John Jay College of Criminal Justice Lloyd Sealy Library Special Collections.

resistance. I also began to hear scattered bits of folklore about the impact of the Attica rebellion of 1971 on the continued struggle against prisons in New York State and beyond. I was told that PMP was part of a constellation of people, organizations and concepts that “came out of Attica.” Over time, I continually encountered similar statements attesting to Attica as a progenitor of an entire legacy of struggle. In retrospect I now recognize this narrative as a profound truth.

Like Ranco (2006) and Vargas (2008), I pursued anthropology in order to develop knowledge, skills and resources that would enable me to support the Black liberation struggle. The journey of researching and writing this dissertation has profoundly altered my conception of collective social action and the level of intellectual and affective labor required to build and sustain movements. I began my anthropological fieldwork during the summer of 2013 with an organization called the Center for NuLeadership on Urban Solutions (CNUS), a collective of anti-prison activists, many of whom are formerly incarcerated, who engage in direct action, public policy, research and theorization about prisons and criminal justice institutions.² CNUS describes itself as the “first and only independent public policy, research, training and advocacy center designed and developed by formerly incarcerated professionals and staffed by people directly impacted by the criminal justice system” (CNUS 2012).

I was initially interested in critically examining CNUS’ assertion that formerly imprisoned people, by virtue of their experience of imprisonment, are equipped with unique perspectives and particular kinds of knowledge that enabled them to make “better,” or more effective criminal justice policy. My plan was to conduct traditional participant observation with CNUS in order to examine how knowledge about imprisonment was produced; where, when and how that knowledge became authoritative; and the extent to which formerly incarcerated people were able to assert criminal justice expertise in public policy circles. From 2013 to 2014 I

² The Prison Moratorium Project was absorbed by the Center for NuLeadership on Urban Solutions in 2009.

recorded twenty two-hour interviews with members of CNUS. I also accompanied them to several meetings, events, strategy sessions and professional engagements with other reform groups and public policy experts.

Eddie Ellis

My initial questions and pursuits were firmly rooted in the historical present. They managed only to apprehend the “tip of the iceberg” in terms of what kinds of politics I was able to access and explain. This changed once I interviewed Eddie Ellis, the organization’s late founder and chief theoretician. During my conversations with Eddie, I was invited to grapple with the historical forces that produced the contemporary crisis of U.S. prisons and to place the formation of revolutionary consciousness at the center of my analysis of anti-prison struggle.

Eddie was born in Harlem in 1941. In the early 1960s he began to build relationships with people who were actively involved in developing the theory and practice of the Black liberation struggle. He was mentored by and had exchanges with intellectuals such as Muhammad Ahmad (nee Maxwell Stanford) of the Revolutionary Action Movement, Herman Ferguson of the Student Nonviolent Coordinating Committee, the pan-Africanist playwright, Lorraine Hansberry, James Baldwin, Amiri Baraka and Larry Neal of the Black Arts Movement. These people helped Eddie develop as an intellectual and cultivate a revolutionary consciousness. An incisive wordsmith, Eddie began writing for several political publications, including the radical leftist publication, *The Liberator Magazine* (Tinson 2010). He also helped found the first Harlem Chapter of the Black Panther Party (BPP) in 1966. One of the primary effects of the Party, Eddie argued, was that it produced and circulated revolutionary consciousness throughout Black communities:

[The Harlem BPP] started with a core group of maybe ten guys. We used to go into the parks and various out door places and sit around and talk about what we

wanted to do. We put the plans to writing and organized the party into committees: Central Committee, Education Committee, Economic Development Committee, etc. and we eventually opened up an office in Central Harlem.

One of our first major initiatives was to support the campaign for community control of the schools. We lent our organizational resources to those people at IS201 in Harlem and Oceanville in Brownsville, Brooklyn who were organizing in this area. We knocked on doors, held community meetings, sent out press releases, and passed out leaflets. We talked about voter registration and the importance of getting involved in the struggle. There was a city-wide school boycott in 1964 or 1965 and we played a major role in educating parents on the reasons why their children should not be sent to their schools under the kinds of conditions that existed at the time.

What was significant and unique about the BPP and other nationalist groups during the period was that it ushered in a new consciousness that was brought into the black community. It was not an assimilationist or integrationist consciousness, but a rather a consciousness of self-determination, self-reliance, independence. This new consciousness brought a new kind of energy to the black community which ultimately led to a massive uprising of people all over this country (E. Ellis interview with Muhammad Ahmad, 1993).

In 1969, Eddie was arrested for the murder of James Howard. Eddie maintained his innocence for the rest of his life, asserting that he, like so many other activists of the period, was targeted for “neutralization” as part of the United States Government’s illegal Counter Intelligence Program (COINTELPRO). Under COINTELPRO, the U.S. Government deployed a range of strategies and tactics against the BPP and other radical formations, including infiltration, surveillance, internal disruption, “false flag” operations, criminalization, capture and targeted assassination (Churchill and Vander Wall 2002; Newton 1980). Eddie’s capture generated community outrage and mobilization. Movement supporters organized rallies in Harlem and established the Eddie Ellis Defense Fund, but these actions fell short of securing his release. Eddie was found guilty of first-degree murder and sentenced to twenty-five years in New York State Prisons (Dixon 1969). Eddie’s life is evidence of the fact that, while COINTELPRO successfully debilitated the integrity of organizations like the Black Panther Party, this organized

state repression *facilitated* the emergence and circulation of revolutionary consciousness and praxis in the prisons.

Eddie fits the profile of the traditionally conceived ‘political prisoner.’ He was captured because of his political activity and had already been exposed to Black radical theory and praxis. In 1971, two years into his sentence and only months before he would witness the Attica rebellion, Eddie wrote a letter to Larry Neal, one of his mentors:

I’ve already made up my mind that there is nothing in this penal system capable of breaking or destroying me. I bend like a reed with the wind; I float like a fish in the sea; I remember Mao and Fanon and all of the other teachings I have had, and fortified with this knowledge – knowledge of myself and my enemy – I am able to survive, even prosper.³

While confined, political prisoners like Eddie established and participated in networks and organizations that included ‘social prisoners’ - captives⁴ whose ‘crimes’ were not immediately legible as political, or who were not formally inured to a political-intellectual tradition prior to their capture. Crucially, these social prisoners also entered the prison with their own sets of knowledge and ideas about the world. The pages of this dissertation are filled with the voices of these putatively non-political captives who mobilized the limited resources at their disposal to politicize themselves and, in doing so, forever changed how the state prison system was organized. Most of them struggled within and against the prison in anonymity and did not receive the same level of community support that people formally recognized as political prisoners often did. The conditions of incarceration forced different classes of captive to congregate and organize against the particular material conditions of the prison. Together, they

³ Untitled Correspondence from Eddie Ellis. January 2, 1971. Box 33. Folder 17. Larry Neal papers, 1961 – 1985. Schomburg Center for Research in Black Culture, Archives and Manuscripts Division.

⁴ Throughout this dissertation, I refer to imprisoned people as captives in order to foreground the contingent and non-consensual nature of their imprisonment.

transformed the prison into a site of knowledge production and a space of “revolutionary learning”:

I went to prison in 1969, at the height of the Black Power Movement. It was the height of social and revolutionary consciousness. And that consciousness drifted over into the prisons. Most people in the prisons that I was in, and I was in several, were reading the same literature, Frantz Fanon, Mao Tse Tung, Malcolm X. And we were reaching outside the prison to make connections with organizations in the street, trying to get more information. So the prisons were places of revolutionary learning, to the extent that we have not seen since because the revolutionary consciousness that existed during that period does not exist out here (E. Ellis interview with author, September 12, 2013).

While confined in Attica, Eddie participated in the political education sessions that preceded the rebellion. He was in Attica during the rebellion and witnessed the violent recapture of the prison, calling it, “the most stunning event that ever happened in my life, to just witness cold-blooded murder” (Zahm 1997). However, Eddie, like many people who participated in that struggle, did not narrate Attica as a conclusive defeat. A captive named Gary McGovern, whose poem is excerpted in the epigraph of this chapter, wrote that Attica “was cruel and inhuman. It was bold and liberating.” This sense of ambivalence and contradiction about the meaning of Attica is a theme that runs throughout all the chapters of this dissertation. Attica was a defeat because it compelled a counterinsurgency in which the state brutally suppressed the rebellion, then used the events as a means to justify a series of expansions and innovations to the state’s carceral edifice. Attica was a victory because it publicly demonstrated the limits of state power, opened new avenues of political engagement and imbued captives with a new recognition of themselves as agents of history. Following Attica, Eddie and others were transferred to Green Haven Prison. Eddie began organizing with the Think Tank Concept, a group of imprisoned intellectuals that was actively working to extend the idea of Attica by cultivating consciousness within and beyond prisons.

Eddie's analysis and his mode of narration profoundly shaped the development of *Attica Is*. In interviews and informal conversations he insisted that movements such as the BPP and Attica had not been destroyed by state repression. Rather, they were each compelled to transform in response to new historical situations. He routinely answered my questions by referring to a whole universe of history, experience and ideas that preceded the context of the question. For example, when I attempted to probe deeper into the Think Tank's purpose and analysis, Eddie responded with a statement that was virtually identical to what I had been told years earlier regarding the Prison Moratorium Project and other New York based prison activist groups: "The Think Tank really came out of the Attica rebellion. You can't understand the Think Tank without understanding Attica." When I asked him to describe what made CNUS unique, he responded, "This is a continuation of the global struggle that had its roots in the movement for African liberation and independence. This is a continuation of Attica. We bring that consciousness and it informs all the work that we do" (E. Ellis interview with Author, September 12, 2013).

After analyzing these interviews, I became fascinated by the notion that consciousness was an identifiable phenomena that could travel with people, circumvent boundaries, increase and decline in relation to particular material conditions. Through my interactions with Eddie and other members of CNUS, I came to realize that they were drawing on what Cedric Robinson called the "Black Radical Tradition" (BRT). I came to understand that Eddie and other members of CNUS used the language of public policy and expertise because it enabled them to navigate the constraints of the non-profit world and the growing hegemony of evidence-based discourse. Publicly, Eddie talked a lot about prison policy, but when I probed deeper, he seemed to be genuinely passionate about the development of revolutionary consciousness.

I soon shifted the focus of my research and began my journey of systematically tracing the development and the forms of consciousness produced by the Attica rebellion. I became preoccupied with a whole new set of theoretical and methodological questions: What was the political and intellectual content of Attica? What did it mean for an organization to “come out of” a rebellion? What frameworks were available for tracing the transmission of consciousness? Could I support and elaborate such a claim with evidence?

Theoretical Engagements

Revolutionary Consciousness, Knowledge and Praxis

The people I study are what Gramsci (2010) calls “organic intellectuals.” That is, they emerged as intellectuals out of the material conditions of their location within the social formation. They were propelled into leadership positions because of their ability to articulate the interests and demands of the captive population and because of their skill at bringing groups together. Throughout this dissertation, I focus on the cognitive and scholastic aspects of the captive population’s struggles for humanity, collective power and self-determination. I investigate how they generate, elaborate and circulate the ideas and concepts that advance their movement.

This focus required that I dispense with traditional ways of theorizing social movements. Rather than thinking about the prison movement as a coherent series of observable phenomena propelled by a particular group of people, I examined how different communities of activists form around demands and ideas that have yet to come to fruition. This conceptual framework builds on prior research from Rodríguez (2006) and Eyerman and Jamison (1991) who assert that particular sets of ideas, as opposed to particular groups and formations, define movements. “A social movement is not one organization or one particular special interest group. It is more like a

cognitive territory, a new conceptual space that is filled by a dynamic interaction between different groups and organizations” (Eyerman and Jamison 1991:55).

I theorize the Attica rebellion as an event that produced and circulated a new revolutionary consciousness within the state prison system. Philosopher Alan Badiou conceptualizes “the event” as a historical instance or moment of creation that “brings to light a possibility that was invisible or even unthinkable” (Badiou and Tarby 2013:9). Events, in this formal sense, are exceptionally rare occurrences; their meaning and their long-term effects are not preordained. Rather, the event “proposes something to us” (Badiou and Tarby 2013:10). But this proposal is ambivalent. It is up to “us,” the interpreters of the event’s message, to ascertain its meaning and to determine how to proceed into the future. One of the consequences of the event is that it creates a new type of subject. It “compels us to decide a new way of being” (Badiou 2001:41). The task of the eventual subject is to be faithful to the event by organizing within the new situation the event created and to keep the spirit of that event alive. For Badiou, “politics” is the conscious selection, by a group of people, of what things are and are not faithful to the event.

Received wisdom maintains that the Attica rebellion was crushed when the state recaptured the prison. But this is not so. This characterization is based upon a false premise promulgated by prison authorities. Writing from captivity, Angela Davis (1971:62) observes that “the prison operates with the idea that when it has a person’s body, it has their entire being.” But human being exceeds the body. It also includes ideas, desires and consciousness. Because the bodies of imprisoned people are captured, the cultivation and preservation of consciousness become paramount. Prisons have proven incapable of completely preventing the circulation of radical

ideas. In fact, as I will argue, the protocols and practices of prison administration often activate and accelerate the emergence of revolutionary consciousness and praxis.

For our purposes, revolutionary consciousness is the conviction that a given situation is not the result of destiny, but the outcome of historical struggle. The revolutionary consciousness of captive populations necessitates the rejection of fatalism, a commitment to developing an informed and correct political analysis and a genuine love for humanity. For captives, it also entails the belief that the materiality and structured oppression of the prison can be positively transformed and even abolished through political organization and concerted collective action. In *Blood in My Eye*, George Jackson offers us a critical definition of revolutionary consciousness:

Consciousness is the opposite of indifference, of blindness, blankness. Promoting consciousness involves the general dissemination of the concept that each of us is part of a universal action and interaction; that poles are somewhere connected; that there are material causes for trauma, vertigo, degenerative disease. Connections, connections, cause and effect, clarity on their relation and interrelations, the connection with the past, continuity, flow, movement, the awareness that nothing, *nothing* remains the same for long. . . . Consciousness is knowledge, recognition, foresight; common experience and perception; sensibility, alertness, mindfulness. It stirs the senses, the blood; it exposes and suggests; it will objectify, enrage, direct. There are no positive formulas for a thing so complex. We have guidelines only to help us with its growth. This means that after we are done with our books, they must be put aside; and the search for method will depend on observations, correct analysis, creativity and seizing the time (Jackson 1990:22-3).

Although Jackson, like many of the intellectuals whose ideas I engage in the ensuing chapters, identifies as “Marxist” in orientation, he advances a formulation of consciousness that departs from orthodox Marxist theory (Dirlik 1983). By asserting that consciousness is related to, but not determined by, one’s social location in the relations of production, Jackson is able to summon imprisoned people, as opposed to the traditional Marxist category of the proletariat, as the potential revolutionary subjects of history. This understanding of revolutionary possibility was integral to the formation of consciousness among captive populations in the 1960s and

1970s. As Jackson makes clear, there can be no static definition of consciousness because it is elaborated in dialectical relation with the material world. Following Gramsci (2010), Freire (2000) and Rodríguez (2006) I use term “praxis” to denote the essential interplay between action and reflection.

What is the Prison and what does it do?

The state-sanctioned narrative about prisons in the United States goes something like this: Certain kinds of people, out of their own individual failings, choose to commit crimes. The public interest is best served when such ‘criminals’ are taken out of society, geographically incapacitated in cells, stripped of their citizenship rights and denied liberty. This story promises that under threat of incarceration, potential criminals will be deterred from committing crimes and that former criminals, if they return at all, will return to civil society as redeemed citizens, equipped with the moral fortitude to make sound choices and the skills to participate in lawful economic activity.

Critical scholars have subjected virtually every aspect of this state-sanctioned narrative to withering critique. Wynter (2003) and Weheliye (2014) problematize the universalizing notion of the people, the public and civil society. They argue that western modernity is sustained by sorting the population into Races, categories of difference that include human, subhuman and non-human. Prisons and other carceral spaces are central to the (re)production of this hierarchical racial ordering as they facilitate the continual capture, containment, exploitation and genocide of disposable populations (Rodríguez 2006; Smith 2012; Wilderson III 2010). The idea that civil society is comprised of individuals who act independently of social structure and always move through the world according to rational calculations is another important myth that has been thoroughly debunked (Bourdieu 1977). The maintenance of the state-sanctioned narrative also

requires that we ignore the politics of how the category of “crime” is constituted, how its content changes over time and how the state enforces its prohibitions against certain “undesirable acts” at particular historical moments, but not others (Christie 2004; Hall, et al. 1978). But even if we were to reify crime and the existence of a ‘general public,’ we would be hard pressed to find evidence that prisons serve the public good. They do not effectively reduce crime (Cullen, et al. 2011; King, et al. 2005), they do not rehabilitate transgressors (Allen 1981; Garland 2012a; Guenther 2013), nor are they cost effective (Henrichson and Delaney 2012).

Discipline

The supposed inefficacy of the prison is an old story. In his celebrated book, *Discipline and Punish*, the French intellectual Michel Foucault (1977:277) writes, “after a century and a half of ‘failures,’ the prison still exists, producing the same results.” He asserts that the prison’s ascendancy in late 18th century France, England and the United States was the unintended consequence of a historical struggle between sovereign rulers, elite social reformers and commoners over how citizens should be punished and how authority should be distributed. Foucault demonstrates how the punitive technique of the “scaffold,” corporal punishment and execution preceded the prison as a modality of vengeance that enabled the sovereign to publicly demonstrate its despotic power through the torture and execution of condemned bodies. Foucault argues that public torture as a mode of punishment was ill-suited to produce the citizen-subject required to sustain the Enlightenment project and emergent industrial capitalism. What was needed was a subject that functioned through consent; one that believed in and aspired to the ideals of liberty and social contract theory. Elite reformers sought to supplant public torture with a new technique designed, “not to punish less, but to punish better. . . with more universality and necessity” (Foucault 1977:82).

Foucault was dissatisfied with the Marxist critique of the prison, which argues that the prison is an “organ of class *rule*, an organ for the *oppression* of one class by another” (Lenin 1975:315). He thought this to be a distortion, instead arguing that the form of power exemplified by the prison is not “localized in the relations between the state and its citizens or on the frontier between classes” (Foucault 1977:27). For Foucault, power is embedded and circulated through manifold relations of power present throughout the social body. He identifies the prison as a key site of “disciplinary power,” a form of power that targets individual bodies through the surveillance of activity, the control of how bodies are distributed in space and the careful management of time. For Foucault, disciplinary regimes are also exemplified by schools, monasteries and military units. They produce “docile bodies,” submissive subjects that have economic utility for the capitalist mode of production.

Foucault challenged the state-sanctioned narrative of the prison’s function by arguing that prisons constitute criminals and crime. The institutions necessitate that particular acts be defined as abnormal so that particular interventions become necessary. He argues that prisons create “useful delinquency” and an entire “field of illegal practices” (Foucault 1977:280). The control and management of criminals, which Foucault calls “pathologized subjects,” requires intervention from experts in fields such as architecture, psychiatry, sociology and criminology. These experts extract knowledge from the confined subject and redeploy that knowledge in order to perfect the disciplinary program. Because disciplinary power is dispersed throughout the social body and in various institutions, the prospects for political struggle at the site of the prison are limited. “The overthrow of these ‘micro-powers’ does not, then, obey the law of all or nothing; it is not acquired once and for all by a new control of the apparatuses nor by a new functioning or a destruction of the institutions” (Foucault 1977:27).

New York State Prisons were key spaces for the emergence of institutional forms of disciplinary power. In the 1830s, the “Auburn System,” a philosophy of penal discipline that was first implemented in a New York State prison of the same name, competed for dominance against the “Pennsylvania System,” which was established in prisons in 19th century Pennsylvania. Proponents of both systems imagined the modern prison as an idealized version of Enlightenment society where subjects would work efficiently, subordinate themselves to authority and follow the teachings of the Bible. Both systems were predicated on what Allen (1981) calls the “rehabilitative ideal,” the Enlightenment notion that human beings are malleable and perfectible beings, rather than durable ‘essences’ pre-ordained by God. Both systems presuppose the necessity of isolating captives from each other so as to prevent them from spreading moral contagion. In their study of the early U.S. prison system, Tocqueville and de Beaumont (1964:55) wrote, “whoever has studied the interior of prisons and the moral state of their inmates, has become convinced that communication between these persons renders their moral reformation impossible and becomes even for them the inevitable cause of an alarming corruption.” Both systems also believed in the necessity of solitude, which, it was believed, would compel captives to reflect on their own misdeeds. “The walls are the punishment of the crime; the cell confronts the convict with himself; he is forced to listen to his conscience” (Foucault 1977:239).

Guenther (2013) rightfully observes that, in retrospect, the differences between the two systems appear insignificant. The key difference between them was the extent of the solitude, isolation and labor to which captives were subjected. New York’s Auburn system began in 1821, the year construction of Auburn prison was completed. Upon its opening, eighty captives were transferred there. They were locked alone inside their cells and were not allowed to speak with

anyone except the prison chaplain. Two years later, half of them became physically ill, many of them also suffered from mental illness and four had died. From this failure, prison authorities learned that total and complete isolation was unsustainable. Auburn's remaining captives were pardoned and New York State subsequently instituted a new "congregate system," which was later replicated at New York State's Ossing Prison (Sing Sing). Captives in the congregate system were able to labor in common in the prison shops, though they were still forced to remain silent and were even prohibited from making eye contact (Christianson 2000:110-7; Morris and Rothman 1998).

Rather than keep convicts 'under lock and key like wild beasts in their cages', they must be brought together, 'made to join together in useful exercises, forced together to adopt good habits, preventing moral contagion by active surveillance, maintain reflection by the rule of silence'; this rule accustoms the convict 'to regard the law as a sacred precept whose violation brings just and legitimate harm' (Foucault 1977:238).

As opposed to the Auburn system, in the Pennsylvania system, first implemented at Eastern State Penitentiary in Philadelphia, captives remained isolated for twenty-four hours per day. "There, in a silent isolated tomb, the penitent prisoner ate, slept, defecated, worked and thought, day and night, week after week, month after month, year after year" (Christianson 2000:134). In the Pennsylvania system, labor was offered as a reward for penitence. The idea was to deprive captives of stimulation until they looked forward to the opportunity to work. It was hoped that this would engender in them a hate for indolence, which was assumed to be the cause of their crimes in the first place. But even their labor was performed in solitude – the spinning of wool was a common task (Morris and Rothman 1998:107). The level of isolation at Eastern was understood to be extreme and it quickly amassed its critics, including Tocqueville, Beaumont and the writer Charles Dickens (Christianson 2000).

Proponents of Auburn believed their system to be superior to that of Pennsylvania because it gave captives the opportunity to demonstrate their internalization of discipline. They were expected to remain silent and focused on their penitent labor despite having the opportunity and the temptation to communicate with their fellow captives. The Pennsylvania system allowed for no such opportunity and thus, its critics argued, the success of the rehabilitative enterprise could not be effectively measured (Tocqueville and de Beaumont 1964). The Auburn system began to overtake the Pennsylvania system, not for these ideological reasons but because of economic imperatives. The architecture required for the Auburn system was cheaper to construct and manage and the commodities produced by congregate labor were more profitable for the state. Moreover, the regimentation of congregate labor was believed to instill the particular forms of discipline required for the emerging industrial economy (Morris and Rothman 1998). These factors hastened the adoption of the Auburn system by prison administrators throughout the country. Yet, by the mid 19th century, as prisons were increasingly populated with European immigrants and formerly enslaved Blacks, the rehabilitative imperatives of both models were usurped by the modest aim of penal incapacitation (Allen 1981; Morris and Rothman 1998).

Death

While Foucault's insights are indispensable for understanding how power and knowledge operate in and through the prison, disciplinarity alone is analytically insufficient for explaining the prison and the organized struggles waged within. Foucault's genealogy enables us to recognize prisons as "pedagogic regimes for the making of the self-governing subjects" (Smith 2009:111). Yet, a large and growing body of scholarship argues that the modern U.S. prison is *death-making machine* (Gomez 2006; Guenther 2013; Rodríguez 2006; Wilderson III 2003).

This conceptualization of the prison is animated by genealogies that expose U.S. legal, policing and carceral technologies as descendants of civil death, social death and racial chattel slavery.

The theoretical content of much of this work draws on Orlando Patterson's germinal historical study, *Slavery and Social Death* (1982). Patterson uses comparative history in order to identify three transhistorical elements of the master/slave relation. The first is that the slave is produced by, and always vulnerable to, what Wilderson III (2003) calls "gratuitous violence." There is no upward limit to the level of violence that can be acceptably used on the slave. The second is that the slave is "naturally alienated," that is, he or she has "ceased to belong independently to any formally recognized community" (Patterson 1982:6). The slave has been effectively severed from "both ascending and descending generations" (Patterson 1982:7) and kinship networks and familial obligations are replaced with the authority of the master. Finally, the slave is the subject of "general dishonor," meaning that the slave has no reputation, no history, no public value by virtue of their condition as a slave. Patterson therefore defines slavery, not as a relation of labor exploitation, but as the condition of *social death*: "the permanent, violent domination of naturally alienated and generally dishonored persons" (1982:13). Incarcerated people are subjected to these three conditions and thus are effectively "killed" as members of civil society.

Civil death is another concept that is important to this strand of theorization. Civil death is the imposition, by the state, of legal prohibitions that constitute the withdrawal of all civil and political rights. In *The Law is a White Dog*, Colin Dayan (2011) demonstrates how civil death evolved from a condition called attainder, which originates in medieval European common law. This "legal fiction" rendered its bearers dead-in-law for the duration of their biological lives, which were soon terminated through state-sanctioned execution. Civil death was thus a

“transitional status” (Chin 2011:1797), in which those slated for execution were forced to forfeit their property and their rights before being killed. The civilly dead were understood to be afflicted with “corrupted blood,” a symbolic mark of general dishonor that resonates with social death.

New York State was a key space for the preservation of the legal concept of civil death in the early years of the United States. In 1799, the same year that the New York State Legislature passed the Gradual Abolition Act, which began the process of abolishing racial chattel slavery, the State Legislature also passed a civil death statute, which stated, “a person sentenced to imprisonment for life is hereafter deemed civilly dead” (Chin 2011:1798) and, as Chin points out, similar language remains enshrined in contemporary New York State law.

Racial Chattel Slavery

Further complicating the reduction of carceral function to disciplinary power, James (1996) critiques Foucault’s claim that disciplinary power eclipsed the spectacle of state violence at the close of the 18th century. She asserts that Foucault’s argument is only sustainable via the “erasure” of various forms of public chattel violence that *intensified* on plantations during the period in question. The ships, plantations and domestic spaces of racial chattel slavery functioned as particular kinds of carceral sites that produced social death for their captive slaves (Davis 1972a; Rediker 2007; Rodríguez 2006; Spillers 1987). The essential difference between these racialized carceral sites and Foucault’s disciplinary prison is that that the early modern prison confined wayward white men who were seen as worthy of redemption. By contrast, the carceral spaces of chattel slavery confined subjects that were racialized as non-human and were therefore ineligible for redemption.⁵

⁵ Smith (2009) asserts that the Native American reservation system is also serves as a particular kind of carceral space.

The adoption of formal civil death statutes in the United States preserved and formalized the social death of racial chattel slavery (Heiner 2015). In the decades to follow, law and jurisprudence were increasingly used as instruments to render prisoners, like privately owned slaves, as “outside the boundary of human empathy” (Dayan 2011:57). The Thirteenth Amendment to the United States constitution is a prime example. The specific language of the 1865 amendment outlaws slavery and involuntary servitude, “except as punishment for a crime.” As James (2005:xxii) notes, the language of the amendment “ensnares as it emancipates;” it legally *preserved* the master/slave relationship, managing only to replace the chattel logic of racial slavery with a new logic of racial criminalization. This partial abolition of slavery also functioned as a carceral innovation. “Prison was intended to improve upon slavery by eliminating slacking and economic inefficiency. It offered a setting that in some ways resembled slavery, but minus certain distasteful features, such as sexual licentiousness, irreligiousness, idleness, and unjustified captivity” (Christianson 2000:105).

During the post-reconstruction period, “crime” became a cipher for blackness (Muhammad 2010). The passage of a set of racist laws that came to be known as the “Black Codes” criminalized mundane acts of vagrancy, unemployment, loitering and public drunkenness. Police enforced these laws almost exclusively against Blacks (Davis 1998b). Once ensnared in the criminal justice system, Black captives were leased to individuals and corporations. They were also exploited directly by state governments and once again forced to labor on plantations, in mines and on chain gangs. Blackmon (2009) estimates that roughly 800,000 Black men and women were captured and exploited by this system from 1865 until it was finally outlawed in 1941. As Du Bois (1999:698) noted, “in no part of the modern world has

there been so open and conscious a traffic in crime for deliberate social degradation and private profit as in the South since slavery.”

The life of a post-emancipation captive had a different monetary value than the life of those ensnared in racial chattel slavery. The bodies of these new slaves were the property of the state and could no longer be directly exchanged as private property. Moreover, mass racial criminalization and capture produced a constant supply of exploitable captives. They were commonly worked to the point of biological death. For this reason, historian David Oshinsky (1997) called penal slavery “worse than slavery.”

The labor exploitation made possible by prison slavery in the U.S. south was essential to the developing infrastructure of industrial capitalism in both the north and the south (Blackmon 2009). However, beginning in the 1880s, the labor of this exploited class of Black captive again declined in value. Prison slavery was incapable of producing the citizen-subject necessary to the sustain 20th century late-capitalism. In the emerging “Fordist” political economy, large-scale industrial production was increasingly concentrated in the urban cores of the emerging metropolises. Massive immigration from Europe created a ready supply of skilled labor. Techniques of management were increasingly organized according to scientific principles of efficiency and productivity. Bosses searched for ways to transform workers into consumers of mass-produced goods (Harvey 1989). Prison-slaves could not meet these new requirements.

Shifts in the political economy rendered prison-slavery obsolete as a form of labor exploitation, yet it did not signal the total abolition of the system. In its contemporary form, prison-slavery is distinct from racial chattel slavery and convict leasing in that labor exploitation for private or public profit is not the driving force of incarceration. This does not mean that labor exploitation does not occur. Today, hundreds of thousands of people living in cages throughout

the nation labor for “slave wages.” In the California prison system, captive laborers for the California Prison Industry Authority earn between thirty cents and ninety cents per day to manufacture commodities and provide services for state agencies (Heiner 2015). In New York State prisons, laborers earn similar wages for their work in Corcraft Industries, which also has a legislative mandate to sell its products to New Your State Agencies (NY DOCCS 2004). However, as Gilmore (2007) notes, many captives remain idle and out of work during their period of confinement. This suggests that the extraction of labor is not a primary objective, for it were, this wasted labor power would not be allowed to languish.

Recalling Patterson's (1982) formulation, labor exploitation is not essential for slavery. Rather, slavery is constituted by the condition of social death. For this reason, Rodríguez (2006) locates the paradigmatic technology of prison slavery not in the plantation, a site of labor exploitation, but in the Middle Passage, which was the process of transforming human populations into non-human objects. The Middle Passage was a site of “massive human departure . . . from civil society, the free world, and the mesh of affective social bonds and relations that produce varieties of ‘human’ family and community” (Rodríguez 2006:227). Indeed, Rediker (2007) asserts that slave trading vessels were floating prisons that not only transported captive Africans across geographies, they were also factories that required the labor of guards in order to produce the slave as a commodity for the southern plantation economy. It is this process of targeted social elimination and dehumanization that characterizes contemporary prison slavery. Criminalization and incarceration juridically kill the citizen-subject and reduce her or him to a breathing body that must be housed, fed, clothed and kept in place. Beset with formal civil death and effective social death, incarcerated people are more vulnerable to state

violence and biological death. As George Jackson observed, “anyone who passed the civil service examination yesterday can kill me today with complete immunity” (Jackson 1990:7).

The Modern Carceral State

The concept of the carceral state foregrounds the central role played by the policing-judicial-carceral technologies of state power in the post-1970s U.S. social formation. In 1971, the year of the Attica rebellion, U.S. state and federal prisons confined less than 300,000 people (The Sentencing Project 2012). The national captive population was in decline, prisons were closing and criminal justice experts were predicting the demise of the prison (Danzig 1973; Dodge 1975; Prison Research Education Action Project 2005; Schlosser 1998). But what unfolded over the next four decades was a globally and historically unprecedented explosion of the prison population, a massive expansion of prison construction and the development and accumulation of new carceral technologies (Parenti 1999). From 1973 to 2009, the state and federal prison population increased by more than 500% (The JFA Institute 2007; The Sentencing Project 2011). Today, with more than 2.2 million people confined in 1,719 state prisons, 102 federal prisons and 3,283 local jails, the United States, a nation that constitutes just 5% of the world’s population, confines 20% of the world’s total captive population (Wagner and Rabuy 2016; Walmsley 2016). The ‘land of the free’ dwarfs China, an allegedly authoritarian nation of nearly 1.4 billion people, in both its total captive population and its per capita rate of incarceration. China has 1,657,812 people behind bars, an incarceration rate of 119 per 100,000 people compared to the United States’ incarceration rate of 698 per 100,000 people (Walmsley 2016).⁶

⁶ Were we to include the population confined in juvenile facilities, Indian Country jails, military prisons, immigration detention facilities, civil commitment centers and prisons in the U.S. territories, the total captive population would exceed 2.3 million people (Wagner and Rabuy 2016).

The carceral state has rendered virtually everyone more vulnerable to state-sanctioned surveillance, criminalization, capture and punishment, yet there is a specificity to the ways in which juridically Black⁷ people and communities of color are subordinated by and vulnerable to the technologies of policing and incarceration (Martinot and Sexton 2003; Wilderson III 2003). Although U.S. criminal justice policy and practice is ostensibly “colorblind,” that is, it does not directly reference or target race (Alexander 2012; Bonilla-Silva 2010; Rodríguez 2011), the operation of the carceral state is an example, *par excellence*, of the contradiction between the narrative of a post-racial America and the reality of the racist state (Marable 2000; Marable 2007). Race plays a “pivotal role” in determining who gets policed and arrested, who goes to prison and for how long (Alexander 2012; Bhavnani and Davis 2000:229). According to the U.S. census, Black people are incarcerated at more than five times the rate of whites (Wagner and Knopf 2015). Alexander (2012) asserts that the United States imprisons Black people at a higher rate than did South Africa during the height of apartheid. Juridically Black men have long been the targets of penal control. Wolfers, et al. (2015) draw on census data to assert that 1.5 million Black men in the United States are absent from daily life due to incarceration and premature death. At the same time, Black women and gender non-conforming people constitute one of the fastest growing segments of the formally imprisoned population and are routinely subjected to specifically gendered forms of policing and punishment (Crenshaw, et al. 2015; Richie 2012).

The “long reach of the carceral state” (Gottschalk 2009) extends far beyond those confined within brick and mortar prisons. If we broaden our analysis to include the 4.6 million people currently on parole or probation, the size of the population under the direct control of the

⁷ I use the term “juridically Black” to emphasize that this state-sanctioned notion of Blackness is based on a reified state-sanctioned racial calculus that, while problematized by anthropological research on the social construction of race, remains instructive as a broadly defined category of social fact. My specific framework for engaging with Blackness will be discussed below.

carceral state swells to nearly seven million people (Wagner and Rabuy 2016). Broadening our view yet again, we find that the adult U.S. criminalized class – those who are variously in federal, state and local facilities, on parole or probation, or who have been convicted of misdemeanors or felonies at any point in their lifetime - amounts to a staggering figure of sixty-five million people (National Employment Law Project 2011). Depending on what state these people live in, a felony or misdemeanor conviction is tantamount to civil death. It can produce a series of long-term, often permanent, consequences that severely limit their opportunities for future employment, housing, education and civic engagement (Manza and Uggen 2006; Uggen and Manza 2002; Uggen, et al. 2006; Uggen, et al. 2012).

To those ensnared in the formal carceral network, we must also add the millions of the “not yet captured” (Gordon 2008b) who live in targeted geographies of capital disinvestment, state surveillance, (pre)criminalization and state violence. These carceral geographies are racialized geographies where racial minorities, the economically poor, the undocumented live. Theorizing the way in which anti-Black carceral and policing techniques circulate beyond the prison, Kuwasi Balagoon, a leader of the New York Chapter of the Black Panther Party and Black Liberation Army, wrote, while formally imprisoned, “jail - the buildings, the cells, the bars – means only a change in the *form* of our restrictions and confinement. It is only a matter of degree” (Balagoon 1971:326). With this quote, Balagoon extends a long intellectual tradition of Black radical theorization that constructs the prison as a concentrated form of the racially oppressive techniques that structure and restrict Black life in the “free world” (Berger 2014). This theorization of the carceral spaces beyond the brick and mortar prison trouble the relationship between the inside and the outside of the prison, the captive and the free. It also serves as one of the key points of leverage for imprisoned people struggling to build power

within the prison.

The exponential growth of the post-1970 U.S. carceral state was not a response to rising crime. Rates of imprisonment increased steadily despite stark fluctuations in reported rates of crime (King, et al. 2005; Tonry and Melewski 2008). The expanded reliance on imprisonment signaled the emergence of new punitive modes governance (Garland 2012a; Gilmore 2007; Simon 2007). The 1970s were a period of profound economic, political and social instability. The crisis in the global economy was characterized by a global energy crisis, falling rates of profit, high inflation, high unemployment and high interest rates (Harvey 2005). The political crisis was exacerbated by the growing militancy of social movements, which organized, protested and rioted on city streets and shop floors across the nation. As Gilmore (2007) argues, the prison became a strategy for extending the life of capitalism during this political economic crisis. By investing surplus land, labor and state capacity into carceral infrastructure, technology and labor, as opposed to social welfare, political elites were able to displace the economic crisis of “overaccumulation,”⁸ that rocked the beginning of the decade. This “prison fix,” simultaneously facilitated and legitimized the massive removal of millions of people, whose labor power possessed little value for the emerging neoliberal market economy and ostensibly neutralized the growing political mobilizations. Thus, the prison became a “geographical solution to socio-economic problems” (Gilmore 2007:174).

The Black Radical Tradition and Prison Abolition

This dissertation argues that the state failed to completely repress radical political organization through its use of prisons. In the chapters that follow, I trace how Attica, which occurred at the moment of inception of the modern carceral state, gave rise to various forms of

⁸ Following Harvey (1999) I define overaccumulation as a crisis of profitability characterized by limited venues available to reinvest the surplus value produced by capitalist exploitation.

political struggle within New York State prisons. I explain the nature of this struggle as *protracted warfare*. This analytic lens is not allegorical. Imprisoned activist-intellectuals experience their struggle for collective survival as war, they are subjected to many of the lethal and coercive techniques of war and they incur the traumas associated with war (Jackson 1990; James 2007; Rodríguez 2006; Shakur, et al. 1996).

I have adopted and developed a conceptual framework that is broadly “Marxist” in that I intend for my research to not only to explain but also to transform the world. My own political ambition is that, in some small way, this dissertation will bring us closer to creating a society that does not rely on technologies of domination, death and captivity to resolve its problems. This work is also informed by the Marxist supposition that peoples’ outlooks, desires and capacities are largely determined by their structural position in the social formation. That is, I believe that what people ‘see,’ what they ‘want,’ and what they ‘do’ is structured by their position relative to the complex of race, class, gender and nationality. I also proceed based on the Marxist assertion that “class struggle,” is the motive force of history (Marx and Engles 1978). However, the content of class struggle within the prison is distinct from the struggle between workers and bosses. This is true even though thousands of captives are laborers who often organize on the basis of their labor (Cummins 1994). However, the central confrontation waged within the prison occurs between captives and prison authority. Although Marxist theory has been indispensable for elaborating the repressive function of the prison in relation to the capitalist mode of production (Gilmore 2007; Hall, et al. 1978; Lenin 1975; Rusche and Kirchheimer 1939), it has been less responsive to the explaining the particular forms of confrontation within the prison itself. Theorizing this confrontation requires additional conceptual tools. I therefore, draw on what Robinson (1983) called the “Black Radical Tradition” (BRT). As a theoretical and

methodological orientation, the BRT enabled me to understand the particular dynamics of prison struggle and to situate the praxis of these people, formations and organizations within the longue durée of the Black liberation struggle.

The Black Radical Tradition is a living archive of strategies for survival and resistance within and against the racialized, classed and gendered forms of enclosure, captivity, dehumanization, labor exploitation, social/biological death, chattel violence and historical erasure that are endemic to western modernity. These forms of violence, which extend “from the sixteenth century to the events recounted in last week’s or last month’s journals” (Robinson 1983:168), are always contested through acts self-defense and political innovation.

Black radicalism is a manifold and contradictory tradition; it is always in the process of transformation. The tradition offers no abiding consensus as to what Black liberation entails nor does it prescribe strategies for achieving it. Activist-intellectuals within the tradition ascribe to various and often competing forms of nationalism, communism, feminism and humanism. At different times and in different geographies they have employed strategies including, but not limited to: marronage, self-care, armed self-defense, eroticism, idleness, theft, insurrection, spirituality, artistic production and electoral politics (Carmichael and Hamilton 1967; Davis 1998a; Genovese 1992; Lorde 1984; Umoja 1999). The tradition has formed without the active policing of its boundaries:

The evolution of Black radicalism has occurred while it has not been conscious of itself as a tradition. Doubtlessly there have been advantages to this. There have been no sacred texts to be preserved from the ravages of history. There have been no intellects or leaders whose authority secure ideological and theoretical conformity and protects their ideas from criticism. There has been no theory to inoculate the movements of resistance from change. But it, too, is certain that there have been disadvantages; partial comprehensions that it has now become imperative to transcend (Robinson 1983:316).

Despite these contradictions and ambivalences, what enables us to ‘read’ the Black radical archive as a coherent *tradition* is the way in which Black radical praxis presents an irreconcilable confrontation for the state. It inaugurates a crisis of state power that compels the state to respond and reform, often in drastic ways (Goldberg 2002; Jung, et al. 2011; Marable 2000; Rodríguez 2014).

Throughout this dissertation I focus on how organic intellectuals within the prison produce Black radical scholarship. These forms of analysis, research and knowledge are distinct from the allegedly “anti-racist” and “social justice” oriented canons within anthropology and other social science disciplines. Black radical knowledge production makes no claims to objectivity or to ‘detachment’ from ‘outside biases,’ experiences, or political objectives. To the contrary, its dynamism, explanatory force and revolutionary possibility “grow[s] out of a concrete intellectual engagement with the problems of aggrieved populations confronting systems of oppression” (Kelley 2003:9). The activist-scholars with whom I engage generate ideas about the nature of racial and patriarchal oppression. They formulate tactics and strategies for survival and resistance against various forms capture, violence and death. They theorize the effects of the prison on the individual and its function in the broader U.S. society. In this tradition, the university, the laboratory, the field, the library, the public policy arena are not the privileged sites of knowledge production. Rather, innovations occur within the furtive, unsanctioned, unlawful spaces that emerge where those yearning to escape and abolish the prison and the world that makes it possible congregate, conspire, study and plan (Harney and Moten 2013).

Within the context of struggle against the carceral state, I theorize “prison abolition” as a subset of the Black Radical Tradition. Prison abolitionism asserts that prisons are fundamentally about domination and that rehabilitation is a ruse that hides the prison’s active reproduction of

structured race, class and gender hierarchy (Prison Research Education Action Project 2005; Smith and Stanley 2011). Abolitionists are critical of the concept of “prison reform” and are quick to point out that since their inception, prisons have unceasingly undergone processes of reform. Prison reforms typically take the continued necessity of the prison as a given. They therefore tend to strengthen and extend the life of the prison. By contrast, an abolitionist stance argues that prisons ought to be dispensed with altogether. This dissertation explores some of the abolitionist strategies deployed from within the prison.

The abolitionist tradition articulates with prior movements to abolish racial chattel slavery. It draws from the lessons learned following the partial abolition of slavery in 1865 and the subsequent rise of penal slavery. Despite its name, prison abolition is a positive political program. The effective annihilation of the prison necessitates the creation of new institutions capable of establishing a radically new social order; a world in which prisons are no longer necessary. Angela Davis (2005), drawing on the scholarship on W.E.B. Du Bois, calls this new world “abolition democracy.”

In the 1970s, Black radical activism and theorization taking place within and around U.S. prisons such as Attica and San Quentin helped to inspire abolitionist traditions within U.S. and Scandinavian criminology (Berger 2014; Davis and Rodriguez 2000). It also shaped Michel Foucault’s critique of prison reform as well as his intellectual, methodological and political engagement with prison in his writing and activism (Foucault, et al. 2007; Foucault and Simon 1991; Heiner 2007; Rodríguez 2016).

I draw on the BRT while suggesting that a theoretical reorientation of both “Blackness” and “radicalism” are necessary in order to properly apprehend and theorize the unique possibilities, constraints and contradictions placed on liberation struggles that emerge within the

U.S. prison. My conceptualization of Blackness builds on politically-engaged insights of radical theorists such as Frantz Fanon and Steve Biko by suggesting that Blackness is not the private property of phenotypically Black people (Moten 2013). It is not what I earlier referred to as “juridical Blackness,” an official category of citizenship that is enforced and policed by the state. My conception of Blackness builds on the work of Vargas (2006), who argues that Blackness is a political *process*, a way of living, struggling and *becoming* in common. It is the “acquired historical consciousness and praxis of what it means to be black. . . We are black insofar as, having more or less survived the constant assaults on our humanity, we recognize and draw on a collective reservoir of resistance, pride and hopes” (Vargas 2006:476). This “political blackness” necessitates neither an essential set of physical traits, nor a narrative of shared cultural origins. As Fanon (1967a:227) writes, “my black skin is not the wrapping of specific values.” To argue otherwise is to naturalize the socially constructed racial schema that has served to justify Black subjugation and white supremacy (Baker 1998).

Prisons are central sites of racialization in which captives, as a class, are “definitively . . . considered in law and in social practice an inferior race in and of themselves” (Gordon 2008b:652). Surviving the oppressive prison experience necessitates the development of solidarity. As I will demonstrate, prison authorities actively cultivate animosity between different segments of the captive population, especially between races. Divide and conquer is perhaps the most cherished weapon in the arsenal of carceral (state) power. For this reason, fostering an expansive conceptualization of political Blackness is essential to the organizing efforts of captive people.⁹ To be Black is to always aspire to revolutionary consciousness. As Albert “Nuh”

⁹ At various points throughout this dissertation, I describe particular people by classifying them as either Black, Latino or white. I do this either to describe how that person self-identifies or how they are classified by the state. This exercise, though fraught with ambiguity, is essential for understanding how power is operating in any given context.

Washington, an imprisoned intellectual and fighter in the Black Liberation Army writes in his poem, “B.L.A.”:

Black
is a political condition,
a state of oppression and consciousness,
a nation seeking to become,
A people who hope” (Balagoon 2003:1).

Radicalism also requires reformulation. The prison is a particular terrain of struggle that requires an orientation towards radical politics that is distinct from that which stems from the free world. While the state has assumed the responsibility to keep captives biologically alive, it seeks to render its captives socially, politically and juridically dead. Beset with these forms of symbolic death, captive populations are rendered disposable and imminently vulnerable to state violence and biological death. The inhumane and lethal conditions of captivity imbue forms of resistance deployed by captives with increased political resonance (Rodríguez 2006). Rather than attempting to outline a positivist radical (abolitionist) vs. non-radical (reformist) schema that asserts, for instance, that only modes of resistance that do not utilize pre-established institutional channels for politics are sufficiently radical, I analyze the strategies of the captive population within and against specific practices of penal domination.

This dialectical analytical frame is essential for understanding the political praxis of imprisoned people in the United States who deploy a variety of strategies to achieve their objectives. Strategies such as collective prison revolt deploy a political language that is readily identifiable as radical because it presents an antagonism to prison authority. Other strategies, such as the development of proposals to amend or institute new prison policies, are easily derided as tame or “reformist” because they operate within the prison’s established vernacular of communication and power. Yet, to recognize the activism of incarcerated people as unfolding

within and against technologies of social and civil death is to recognize that ostensibly banal and tame political assertions are in fact radical acts of resistance. Moreover, as I will demonstrate, carceral technologies are constantly compelled to respond, adapt and at times acquiesce to the demands and ideas that emerge from the captive population. This suggests that prisons are not as durable or permanent as prison authorities would like us to believe. At different moments in time, the prison becomes vulnerable. These moments of vulnerability are often harbingers of intensified repression, but they also create new contradictions and possibilities for abolitionist struggle.

Finally, I reorient the BRT by focusing on the gendered dimensions of abolitionist struggle. The role of women and the importance of forms of labor that are gendered as female have historically been overlooked as part of the BRT. Black feminist theory is indispensable to the Black Radical Tradition (Davies 2009; Vargas 2010). Building on previous scholarship (Berger 2014; Hames-Garcia 2004), I suggest that theorizing the intellectual-political labor of prison organizing requires a departure from and reorientation of masculinist conceptions of political radicalism. Such a masculinist conception is evident in Huey P. Newton's 1969 essay entitled, "A Functional Definition of Politics" (Newton 2011). Here, the Minister of Defense and chief theorist of the Black Panther Party argues that in order for a given organization to engage in politics they must first have access to power. For Newton, power is achieved through the control of one or more of the following: a military force, a geographic territory or an economic base. Access to these forms of power, argues Newton, will enable organizations to exact a "political consequence when [they] do not receive [their] desires" (Newton 2011:148). The incapacity to assert a political consequence renders one "essentially non-political." While Newton's theory of politics is valuable for thinking about political action, it disenfranchises

women and incarcerated people, who in various ways have historically been prevented from building these forms of power. It also ignores the forms of political power that are the subject of Black feminist theorization. Numerous Black feminist scholars have examined the ways in which Black women, because of their subjection to intersecting forms of patriarchal and racist domination, have engaged in the gendered labor of mutual support, self-care, storytelling and ancestor veneration (Collins 2002; Davis 1972a; Gilmore 2007; James 2013; Sudbury 2009). These gendered practices, argues Berger (2014), are essential to the social reproduction of revolutionary consciousness within the prison. In the final chapter of this dissertation I present these gendered forms of labor as an essential feature of the captive population's revolutionary consciousness.

Methodological Engagements

In our third and final interview, conducted on June 14, 2014, Eddie endorsed the need for the Black liberation struggle to enact a politics that was more rigorous in its theoretical and methodological elaboration. He also lamented his own failure and that of other activists to more systematically document and preserve the record of their struggles, defeats and achievements.

Probably one of the best things that has happened to us is our affiliation with you and people like you who come out of the academic community. We don't. So we don't bring that language, or that rigor, or that methodology to our work. I think that has been one of two greatest failures. The other is that we never adequately documented our work. But worse, we have never been able to use the tools of academia to demonstrate that our analysis is a better analysis (E. Ellis interview with author, July 21, 2013).

This was a surprising admission of the limits of Eddie's expertise, particularly since he had done more than anyone else to formalize the Think Tank's analysis and present it as authoritative within criminal justice policy circles. Indeed, his career as a criminal justice professional was predicated on his authoritative knowledge, innovative methodology and the importance of

incarcerated people telling their own stories.

Following his release from prison in 1994, Eddie became a Criminal Justice Fellow for the Soros Foundation where he worked alongside established and formally trained criminal justice experts like Eric Cadora and Susan Tucker. In 1996, Eddie wrote a chapter about his work in prison for an anthology entitled *Black Prison Movements U.S.A* (Ellis 1996). That same year, *Prison Life* magazine chose Eddie as their “Man of the Year” (Widner 1996). In his cover story interview, Eddie said:

One of the big problems is that someone else always gets to speak for us. The academicians speak for us, the professional penologists speak for us, the law enforcement people speak for us, the politicians speak for us, the media speak for us. We haven’t really heard from the people in our communities (Widner 1996:55).

He later founded the NuLeadership Policy Group at Medgar Evers College, which eventually evolved into the Center for NuLeadership on Urban Solutions. From 2002 until his death in 2014, Eddie served as Executive Producer and Host of “On The Count,” a criminal justice oriented radio program on New York’s WBAI FM radio station.

I did not have the opportunity to more fully engage with Eddie on how he understood the tension between the formal, institutionally validated form of expertise that I was pursuing as a Ph.D. student and the experiential, embodied forms of knowledge that he represented and sought to uplift in his professional work. I think he recognized that, though I am an “academician” who has never been formally imprisoned,¹⁰ I am committed to recovering and amplifying the suppressed voices of the prison struggle. Moreover, he recognized that I had the skills, resources and commitment to locate and organize the material evidence of these struggles and to create a narrative that had incarcerated people at the center.

¹⁰ While visiting New Hampshire at the age of twelve, I was arrested for “loitering” in a public area where several other, phenotypically white people were gathered. I was detained at the police station for a few hours but I was not jailed and was soon released into the custody of my parents. The spurious charges were later dropped.

In the summer of 2014, Eddie sent an email of introduction on my behalf to Larry White, Hassan Gale and Melvin Alston, encouraging the three former members of the Think Tank to participate in a focus group, which we agreed to call “The Gathering.” Each of the former members was now out of the brick and mortar prison and living in New York City. In the email, Eddie wrote, “as you well know, if we do not tell our own story, it will not be told and even if it is told by someone else, it won't be told correctly” (E. Ellis, e-mail message to author, June 24, 2014). The Gathering was held on July 8, 2014, on a sweltering day in New York City. Unfortunately, Eddie could not attend. His health had been steadily deteriorating from a long bout with throat cancer. However, his endorsement was enough for the other members to place their trust and confidence in me.

I started the conversation by thanking the men for joining me, introducing myself and describing my project. I then asked a few simple questions such as “Why did you start the Think Tank?” and “What were you trying to accomplish?” These questions immediately jumpstarted the conversation and for the next three hours I spoke very little. Pollack (2003:461) argues that focus groups are an effective method for engaging with historically marginalized populations because, “they have the potential to shift the power from the researcher to the participants.” I found this to be true during the interview, as the three former comrades began to talk to each other and direct the conversation how they saw fit. They opened up to each other and to me, on varied topics, including surviving prison and post-prison life, loneliness and sexual deprivation, collective action, racism, Black radical politics and New York history.

Throughout the conversation, I felt as though I was being immersed in a foreign language. It was my first encounter with a whole new lexicon, including the jargon of prison administration and the vernacular of everyday prison life. There was a seemingly endless barrage

of unfamiliar names, places events and acronyms that I needed to decode. I used an audio recorder to tape the three-hour conversation and I recorded handwritten fieldnotes on a notepad. The three men had not substantively discussed these issues in quite some time and as they began to recall their experiences they affirmed the importance of preserving this history.

Following the Gathering, I transcribed the interviews and developed a series of codes to help track themes that emerged. Reading through the transcripts helped me refine my question list based on the new information I acquired. Many of the events they discussed were newsworthy so I developed the habit of doing periodical searches for events and names that were likely the subject of press coverage. This process proved productive for fleshing out background information and for placing events into a broader historical context. I maintained a running list of names of people to interview and archival repositories to search. The list of unfamiliar people, places, events and organizations grew so large that I had to create an excel spreadsheet to keep track of it all. This spreadsheet proved to be an invaluable tool of staying organized and keeping track of what needed to be done as the research progressed.

Between 2014 and 2016 I interviewed each of the Think Tank members separately. I used an oral history approach, asking open ended questions and allowing interviewees to tell their story as they were moved (Maynes, et al. 2012). My aim with the individual interviews was to document their lived experience and develop a more intimate and individualized portrait of each member and their perspective. In these interviews, which lasted approximately two hours, I sought to understand the particular opportunities and challenges of forming coalitions, accessing material and articulating a political agenda from within the prison walls as well as how these practices impact how incarcerated people understand themselves. I interviewed Larry and Hassan

four times each and I interviewed Melvin twice. We have also had numerous phone conversations, email exchanges and written correspondences.

One of the key insights I learned from these interviews was that the Think Tank's activism inspired others within the prison system to organize and pursue their own political projects. Today there is an entire constellation of organizations that function within and outside of the New York State Prisons system and many of them trace their political-intellectual genealogy to Attica by way of the Think Tank. Larry, Hassan, Melvin and the activists at CNUS helped me identify and locate these people. They also vouched for me and emphasized the importance of documenting this history before it was too late. Some were active in the prison struggle during the Think Tank's era; others were part of a younger generation of activists.

Larry insisted that I meet Dr. Alice Green, a long time prison abolitionist based in Albany, New York. Alice founded the Center for Law and Justice, an advocacy and education focused non-profit organization, in 1985 and through her work at the Center, she emerged as a key ally and supporter of the Think Tank and the entire captive population of New York State. Her work and the work of many others, speaks to the critical insight that women typically play essential roles in supporting prison movements from outside the walls. Three decades after founding the Center, Alice continues to organize. She supplies incarcerated collectives and individuals with organizational resources, technical support and publicity. She also organizes protests, lobbies legislators, visits and corresponds with various captives and mentors college students. Despite her substantial contributions to the struggle, she maintains that she received more than she gained. Of Larry White, she said:

He is the person that has probably influenced me more than anybody that I can think of in this business of criminal justice. I have a doctorate in criminal justice but it didn't really do anything for me until I met Larry White. He was so influential inside the prison and he just opened my mind to new ideas and

new thinking. I am so indebted to that man. He is such a visionary. His writings and the way he was able to look back at history and understand its importance in teaching people how to think about going forward. It's absolutely amazing (A. Green interview with author, August 15, 2015).

In *Silencing the Past*, Michael Rolph-Trouillot (1995) argues that not only do people outside of the academy “make history” through social action, they produce historical narratives as well. My theoretical approach operationalizes this insight. Rather than thinking of my interlocutors as “subjects,” whose insights provide the “raw material” upon which to build and theorize (Krog 2009), I made an effort to solicit and incorporate their feedback into my analysis of the data. In many instances I sent interviewees typed copies of their interview transcripts. After giving them time to read through the material, I reached out and asked them to offer clarifications and suggestions on the design, formulation and subsequent steps of the project. I sought to incorporate their theoretical, historical and methodological insights into the research and I worked hard to take their language, concepts and modes of analysis seriously, not only by valorizing them but also by seeking to operationalize them in the research itself.

Because this project covered events that occurred more than four decades ago, it was imperative that I access and analyze archival material. Between 2013 and 2015 I spent a total of three months examining collections in institutional archival repositories, including: The Schomburg Center For Research in Black Culture, The New York State Library, The New York State Archive, The State University of New York at Albany, The Lloyd Sealy Library at the John Jay College of Criminal Justice, the New York University Tamiment Library, The Interference Archives in Brooklyn, New York, The Rubenstein Archives at Duke University and the Library of Congress in Washington, D.C. Additionally, after a year of trial and error, I successfully obtained eighty-two documents pertaining to the history of prison organizing from The New York State Department of Corrections and Community Supervision using Freedom of

Information Requests.

I also developed the practice of asking interviewees if they possessed any documents that pertained to the history of Attica and abolitionist struggle in New York State. This turned out to be a fruitful strategy. Larry, Hassan and Melvin each preserved a personal archive of documents pertaining to their activist work and their incarceration.¹¹ Alice also maintained a personal collection. They each shared documents with me, but did so in different ways. Melvin and Larry bequeathed their documents to me en masse, as though they had been saving them for just such an occasion. Melvin, who served as the Executive Secretary of the Think Tank for the first four years of its existence, presented me with two tote bags full of documents that had been stored in his basement for more than two decades. Melvin's collection contained more than 300 pages of typed and handwritten documents, including several of the earliest drafts of Think Tank writings. Trying to make sense of these documents, many of which were authored more than forty years ago, was no easy task. Many of the documents in Melvin's collection are undated and have no attribution. Some are written in shorthand and sometimes documents were written in code. Larry bequeathed me with two large folders full of documents, most of which represented Larry's later work, produced in the 1990s, after he had already been imprisoned for more than two decades. Hassan gave me fewer documents, but he took the time to sit with me in order to systematically talk me through each document, patiently explaining its context and employing his sharp political and historical analysis to ensure that I digested their meaning. Alice also had several important documents as well as a collection of video recordings of Think Tank seminars in Green Haven during the early 1990s. She graciously loaned me the videos, which had begun to

¹¹ This fact is significant in and of itself. Preserving private property poses a particular challenge for imprisoned people whose right to private property has been usurped by prison authority. Captives' documents and other personal items are often confiscated and frequently "lost" by guards and administrators.

deteriorate with age. I had the videos restored and transferred to a digital format. I then returned the originals and supplied Alice with DVD copies.

As Derrida (1996:4) has observed, “there is no political power without control of the archive, if not of memory.” Between my archival research, my interview transcripts and my written correspondence I have amassed approximately five hundred pages of documents related to Attica, prison reform and abolitionist struggle in New York State from roughly 1970 to the present. The documents produced by the prison authorities helped me recognize the importance of thinking about the New York State prison system as a bureaucratic institution that is subject to particular mandates, limitations and processes (Hull 2012; Weber 1978). The documents produced by activists filled the many silences and omissions in the official accounts. The ability to juxtapose bureaucratic documents produced by the state as part of prison administration with the material record of resistance and struggle, preserved in the personal collections of captives and activists, profoundly enhanced my research. It added a new layer of complexity and nuance and enabled me to analyze the dialectical confrontation between the captive population and prison authorities.

At times, this research felt like I was solving a mystery or piecing together a puzzle. I initially tried to scan all the documents and use a digital qualitative data analysis tool such as Nvivo to index, code and analyze the data. However, I found that being tethered to a computer screen was too limiting for my purposes. I found it much more stimulating to fan the documents out on my dining room table so that I could juxtapose two and sometimes three documents against one another. Analyzing the paper documents allowed me to hold them up to the sunlight so I could discern the faint markings on the page. It also allowed me to use my finger to scan across the text and aid my comprehension. I ended up organizing the documents by placing them

in clear cellophane sheets and storing them in large three ring binders. I did my best to arrange them chronologically and according to subject by using tabbed dividers. I annotated and coded them by taking hand written notes on Post-Its. I used descriptive codes to keep track of the individuals, locations, concepts and time periods, and interpretive codes to identify emergent themes within my interview, focus group, correspondence and archival data. As I read through the archives and the interviews, I took detailed, handwritten fieldnotes in my journal about things that surprised me, confounded me, saddened me and interested me.

Attica Is tells the story of how multiple, loosely affiliated groups of captive activist-intellectuals launched and sustained a protracted war against the inhumanity of prisons in New York State, beginning in 1970 and extending into the present day. It also tells the story of the New York State prison system and how the protocols and practices of penal domination have evolved over time. In Chapter Two, “The Attica Rebellion and the Production of Revolutionary Consciousness,” I examine the prison as a space of social death, or what Fanon (1967a) calls the “zone of nonbeing.” I also examine the strategies and tactics of the “Attica Brothers” who, from March 1970 to September 1971, waged a protracted carceral war within and against New York State’s jails and prisons that culminated with the Attica rebellion. In Chapter Three, “Pedagogy of State Power: The Recapture of Attica and Reform as Counterinsurgency,” I theorize the state prison system’s response to the Attica rebellion as a multifaceted counterinsurgency against radical prison organizing. In Chapter Four, “War by Other Means: The Green Haven Think Tank and the New Terrain of Struggle,” I show how the ideas and imperatives that emerged during the Attica rebellion survived the state counterinsurgency and reemerged in Green Haven prison through the organization of a new political formation called Think Tank. Through the praxis of the Think Tank, the carceral war that appeared during Attica was extended, only this time it was

being waged through what Gramsci (2010) called, a “war of position.” Chapter Five, “Fugitive Masculinity: Confrontation and Compliance in New York State Prisons,” examines the theory and practice of the Black Consciousness Coalition, a group of currently incarcerated Black men fighting to preserve their humanity, dignity and masculinity within and against the dehumanization of state captivity. This chapter enables us to see how currently imprisoned activist-intellectuals continue to keep the memory of Attica and the Think Tank alive, while also exploring the gendered dynamics of abolitionist struggle from within the prison.

Chapter 2

The Attica Rebellion and the Production of Revolutionary Consciousness

The explosion will not happen today.

It is too soon. . . or too late.

-Frantz Fanon (1967a:7)

This chapter examines the tactics, strategies and consciousness of the incarcerated men¹² who, from March 1970 to September 1971, waged a protracted carceral war within and against New York State's jails and prisons. This period of insurrection culminated with the rebellion at Attica State Prison, which endured as an occupation of state territory for four days until it was vanquished by a brutal state counterinsurgency. This work does not purport to provide an exhaustive historical account of these events. Rather, my goals are: To recover and examine the rigorous political-intellectual activity (analysis, political education, self-organization, investigation, communication) generated through the accumulation of abolitionist struggle; and to theorize the *revolutionary* character of Attica¹³ by demonstrating that the insurrection was both a negative action—an instance of a dehumanized class saying “no” to continued state repression—as well as a positive act of creation in which captives, who functioned within the prison regime as non-human objects, asserted themselves as unified group of men with ideas, desires and the collective power to transform their material conditions.

¹² Chapter Five of this dissertation will feature significant engagement with the gendered dimensions of imprisonment and anti-prison struggle.

¹³ I use the term “Attica” to refer to this protracted insurrection, which includes the series of rebellions in the New York City Jail System in 1970, a rebellion at Auburn Correctional Facility in November of 1970 and the rebellion at Attica Correctional Facility that took place in September of 1971.

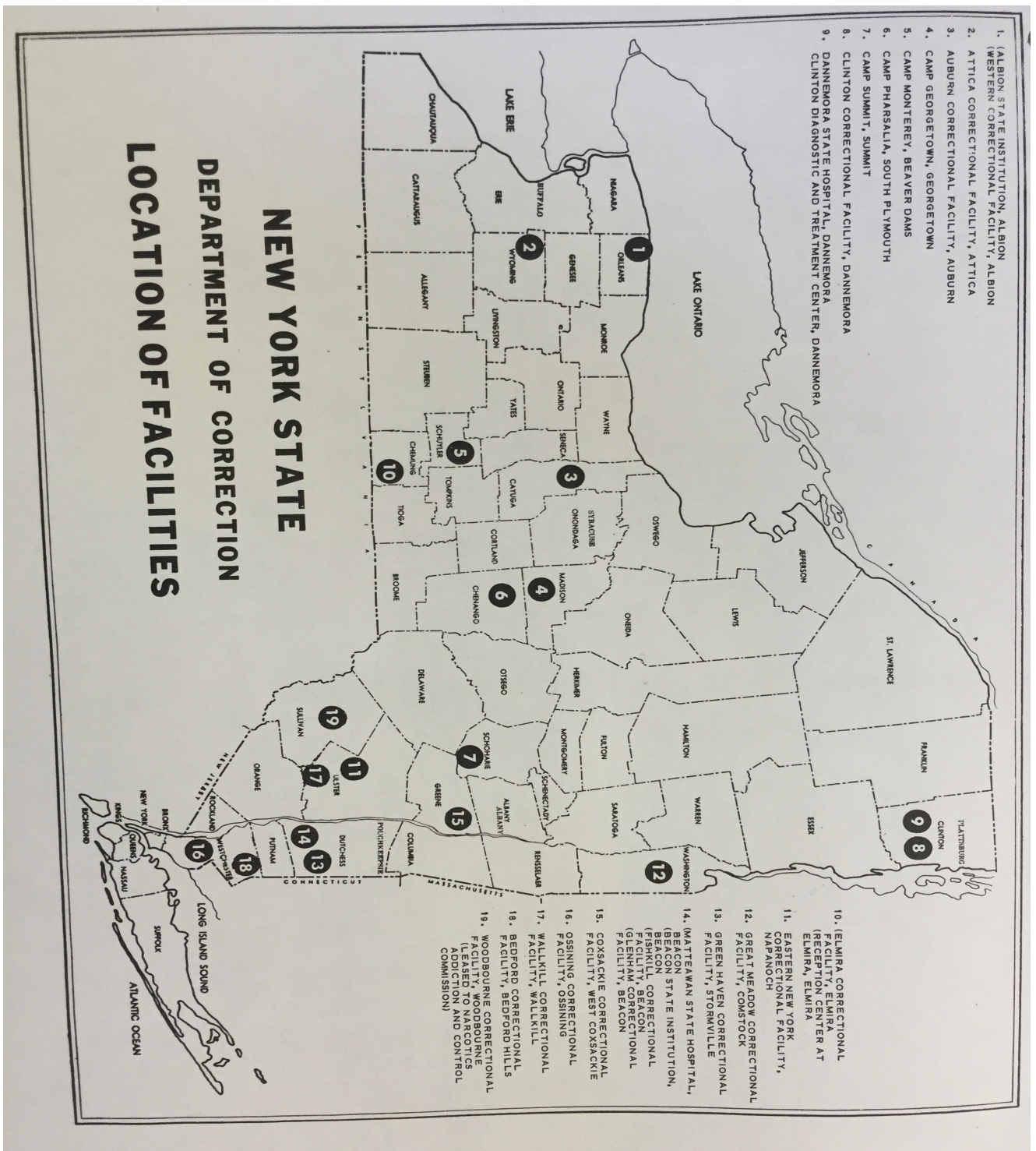


Figure 1: New York State Department of Correction Facilities Map, 1970.

Attica has been thoroughly documented in prior research. Participants, observers, scholars and filmmakers have examined the event from various angles including: using it as a case study to illuminate the causes of prison rebellions (Goldstone and Useem 1999; Useem and Kimball 1991); analyzing its role in shaping prison reform (Meunier and Schwartz 1972; Morris and Hawkins 1974; Weiss 1991); exploring the brutal retaking of the prison and the protracted legal struggle that followed (Bell 1985); and locating the state's response as a key moment in the expansion of the modern carceral state (Camp 2016; Thompson 2014). Like prior studies, this account draws heavily from the published report and the public transcripts from the New York State Special Commission on Attica.¹⁴ The McKay Commission was appointed by the state judiciary on September 30, 1971 to "conduct a broad investigation into the events before, during and after the rebellion." Under the leadership of Robert B. McKay, Dean of New York University's Law School, the commission held public hearings, interviewed 1,600 captives, 400 Corrections Officers, 50 civilian employees, as well as members of the state police, Sheriff's Department and the authorities in the Department of Correctional Services (McKay Commission 1971:xxii-xxxi). I also draw from *A Time To Die* (1975), *New York Times* journalist Tom Wicker's account of his experience as a member of the Citizen's Observer Committee during the rebellion.

While these previous treatments generally acknowledge the high degree of sophistication, discipline and organization demonstrated by the rebellious captives, the present analysis seeks to theorize the political-intellectual labor of making the rebellion. I treat the series of rebellions that preceded Attica as an accumulation of knowledge, strategies and tactics. I therefore privilege the oral histories and primary texts of captives and their interpretation of the events. Key texts in this

¹⁴ The published report is hereafter cited as McKay Commission, while the public transcripts are hereafter cited as McKay Commission Hearings.

regard include two oral histories produced by the Attica Defense Committee (1972a; 1972b); Richard X Clark's *The Brothers of Attica* (1973); *We Will Return in the Whirlwind* (Balagoon 1971); Samuel Melville's *Letters from Attica* (1972); and interview transcripts produced for the Civil Rights documentary, *Eyes on the Prize* (1988). I augment these sources with an author-conducted interview and extensive archival research at the New York State Library, the New York State Archives and the Schomburg Center for Research in Black Culture.

I depart from previous treatments of Attica's demands by foregrounding the ways in which the Attica Brothers consciously organized around a revolutionary-abolitionist demand for the creation of a new world where authentic human relations were possible. This revolutionary demand was not submitted in writing; rather, it was demonstrated and actuated through the praxis of the rebellion itself. I am interested in the goals of their political actions beyond the demands made to state actors and institutions. As such, I do not substantively engage with the content of the various written demands the rebel captives submitted to the state.¹⁵ This is not because those demands, which overwhelmingly consist of appeals for basic human rights, are unimportant. Instead, it is to foreground that these demands, whatever their content, were submitted as part of their revolutionary activity within a new political context that the captives created through their praxis. Their self-organization created a new condition of political possibility that had a transformative impact on their own subjectivity and on the material conditions of the state prison system. The captive population achieved this transformation

¹⁵ The written demands submitted by the Attica rebels include the Attica Liberation Faction's Manifesto of Demands and Anti-Oppression Platform of July 2, 1971 (Appendix C), the Five Immediate Demands from the Declaration to the People of America, September 9, 1971 (Appendix E); The Fifteen Practical Proposals handed to Commissioner Oswald by captive Jerry Rosenberg September 9, 1971 (Appendix F); and the Twenty-Eight Points, that Commissioner Russell G. Oswald signed off on September 11, 1971 (Appendix G). For detailed discussions on the content of these demands see McKay Commission (1972) and Wicker (1975).

through the spilling of blood and the collective intellectual-political labor of struggle and this is what endowed Attica with its revolutionary character.

I theorize the revolutionary political-intellectual labor of the rebellion by putting the archival material on Attica in conversation with the social theory of Frantz Fanon. Although Fanon did not write about brick and mortar prisons, his examination of the colonial world as a *carceral* world has profound implications for prison studies (Guenther 2013; Rodríguez 2006; Wilderson III 2003). Moreover, his principled participation in global struggles for Third World liberation offers indispensable ‘on the ground’ insights into the contradictions produced by these movements, the utility of political violence and the ways in which struggles for liberation transform individual and collective subjectivity. Beginning in the 1950s, participants in the Black liberation struggle increasingly understood themselves as part of the broader struggle for Third World liberation (Plummer 2013). Consequently, once they were published in English between 1963 and 1967, Fanon’s texts circulated widely within the Black movement in the United States (Cherki 2006).

In Fanon’s essay, “The North African Syndrome” (Fanon 1967b) and his book *Black Skin White Masks* (Fanon 1967a), both written early in his career, Fanon conceptualizes “the zone of nonbeing,” a condition contemporary scholars call “social death.” Describing existence for the Algerian man in France, Fanon depicts a subject “without a family, without love, without human relations, without communion with the group.” He is a subject that “feels himself emptied without life,” one that exists in a “perpetual state of insecurity” (Fanon 1967b:12-3). After walking the streets of Paris, Fanon depicts his own Black body as a carceral site where he is divested of humanity and reduced to “an object in the midst of other objects” (Fanon 1967a:109).

For Fanon, to live in a Black body is to be permanently stigmatized, pathologized and burdened by the abject fantasies of whites.

For Fanon there is a particular relationship between subjugation and revolutionary struggle. Whereas Marxist theory upholds the proletariat as the revolutionary subject of history, Fanon is much more interested in the revolutionary capacity of the lumpenproletariat. “The pimps, the hooligans, the unemployed and the petty criminals, when approached, give the liberation struggle all they have got, devoting themselves to the cause like valiant workers” (Fanon 2004 [1963]:81-2). Even though Fanon is not describing formally incarcerated people, his conceptualization of the lumpenproletariat resonates with the social position of the captive population. Thus, Fanon helps us conceptualize how captives in rebellion developed a radical consciousness in the absence of a traditional class position.

In Section One: “Attica as the ‘Zone of Nonbeing,’” I describe the conditions which catalyzed the war within New York State prisons and jails from 1970-1971. Section Two: “Protracted Warfare” theorizes the struggle within and against New York’s jails and prisons from 1970 and 1971 as protracted warfare. Section Three: “Building Revolutionary Consciousness” examines the consciousness raising activities that imbued captives in New York State with a new sense of themselves as revolutionary subjects of history. In Section Four: “Attica’s Revolutionary Demand,” I assert that the rebellion was a profound expression of abolitionist praxis at the specific site of Attica prison.

Attica as the ‘Zone of Nonbeing’

Attica is a maximum-security prison located in a hamlet in Western New York bearing the same name. The fifty-five acre facility is surrounded by a wall that is thirty feet tall, nearly thirty inches thick and extends twelve feet below ground. It was constructed in 1931 incurring a

total cost of nine million dollars - the most expensive prison ever built, up to that point. In 1929 rebellions erupted at Dannemora and Auburn State prisons which were built in 1816 and 1845 respectively. Those rebellions brought attention to New York's aging prison infrastructure, conditions of overcrowding endured by a state prison population that had increased by 68 percent since 1920 and the squalid conditions inside the walls (Christianson 2000:265). Prison authorities imagined Attica as the solution to unrest. Months before it opened, the *New York Times* reported that Attica was to be "the last word in modern prison construction," where, because of amenities like beds with mattresses, a cafeteria with food under glass and recreational facilities, the prison was likened to a "paradise" (Lewis 1931).

By the early 1970s, captives described Attica as hell rather than paradise. Through geographic isolation, (un)sanctioned corporal punishment and psychological violence, Attica's captives were reduced to the status of non-human objects. But these non-humans had thoughts, memories, feelings and desires. They longed to be human and to live amongst other humans. An anonymous writer in Attica during the period described imprisonment as a process that took him out of the world, physically devastated his body and permanently effaced his personality.

No one can ever know – no one who hasn't been a grey-clad, faceless, numbered nothing. I can't tell them but I can try. I can try because when this meatgrinder spits me back into the world – I'm going to be different – I'll never be the same – but I want someone to understand (N.A. 1972d).

Captives at Attica were isolated, alienated and politically neutralized on multiple levels. They were sequestered from their social networks: Attica is 340 miles from New York City,¹⁶ where, in 1971, 44 percent of captives lived prior to their incarceration (McKay Commission 1972:491). This distance ensured that a large proportion of captives from the cities rarely, if ever, received visitors and when they did, they were prevented from making physical contact by the

¹⁶ Wicker (1975:34) estimated that bus trips from New York City took nine hours and cost \$33.35.

opaque screen that stood between them. Captives were also isolated from one another by the physical architecture and materiality of the prison. The facility is comprised of four major cellblocks, with each block designed to hold roughly 500 captives (see Figure 2). Within each cellblock, they were further divided into twelve “companies.” These companies, comprised of about 40 to 50 men, constituted each captive’s immediate “social” grouping. Roger Champen, a captive who emerged as a key leader and organizer during the insurrection at Attica, recognized this as a ‘divide and conquer’ tactic crucial to continued institutional domination. “Here you are kept divided into little kennels so that these over there don’t know what is going on over there. This is what they want. They know if you start communicating and you become aware of what they’re doing to you—look out” (Attica Defense Committee 1972a).

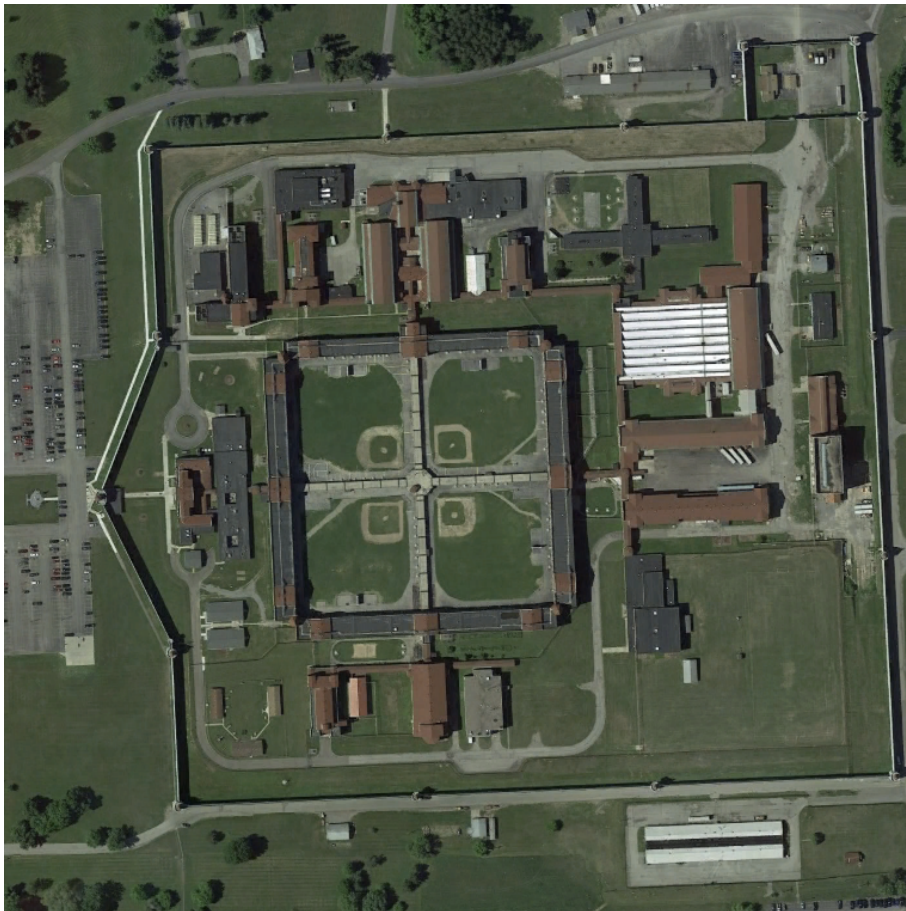


Figure 2: Aerial Photograph of Attica Prison, courtesy of Google Earth, March 20, 2016.

Captives were forced to endure profound isolation, which was integral to the elimination of human relations. They spent between 14 and 16 hours per day locked alone inside a 6' by 9' cell (McKay Commission 1972). They had limited communication with the outside world. They were not allowed to make phone calls. Their mail was heavily and arbitrarily censored, as was their access to reading material. Even Attica's "cell study" educational program was solitary. Participants received and completed their lessons while confined in their cells (Coons 1971). For the large population of Spanish speaking captives, it was nearly impossible to communicate with guards and administrators or send letters because the staff didn't speak Spanish (McKay Commission 1972:117).

Fifty-four percent of Attica's captives were classified as Black, thirty-seven percent were white and nine percent were Puerto Rican (McKay Commission 1972:28). A staff of 380 guards, all of them white and most of them from the rural communities near the prison, was tasked with maintaining order. Although de jure racial segregation within the state prison system was abandoned in the mid-1960s, de facto racial segregation and discrimination endured. Several guards were members of the Ku Klux Klan (Diaz-Cotto 1996). Interracial friendships between captives were actively discouraged. Black and Latino captives were relegated to the least desirable jobs (McKay Commission 1972:119). A BPP and BLA leader named Lumumba Shakur wrote, "in the barber shop, black inmates were not allowed to cut white inmates' hair or shave whites and vice versa. Black inmates were not allowed in some shops. In the summertime when the officer gave out ice in the yard, he would say 'white ice' and 'nigger ice'" (Balagoon 1971:186-7). White captives that challenged these standards or were perceived as too friendly with Black captives were called "niggerlovers" and were often punished with loss of privileges. While charges of specifically racist forms of brutality and humiliation were pervasive, the white

captives of Attica were also subjected to dehumanizing physiological and psychological violence. Though they were treated well in comparison to Black and Latino captives, many whites recognized that “authority itself may be going down a fast track toward the Niggerization of everyone” (Coons 1971:27).

The structured suffering of incarceration was accompanied by a series of ritual humiliations and deprivations enacted largely at the caprice of guards and prison administrators. Captives were allowed only one shower per week and were issued an insufficient amount of toilet paper and hygiene products. The facility medical staff was hostile. The food was unpalatable and prepared in unsanitary conditions. “During the summer, the mess hall was hot and dusty and it was blanketed with flies and roaches. The floors were mopped with dirty water. The food was served on dirty metal trays. Even the chairs you sat on were filthy. The whole place smelled foul and it was like an oven” (Clark and Levitt 1973:15). When moving from one area of the prison to another, captives were made to march in total silence. They were trained to respond to nonverbal commands. Rather than speaking, guards would tap their batons, also known as “nigger sticks” against the wall. One tap meant stop, two taps meant walk, three taps meant “shut up” (Clark and Levitt 1973; Coons 1971; Lankford 1971).

The (non)existence of Attica’s captives consisted of a profound sense of emptiness. They felt alienated from their bodies and their personalities and many were divested of their political subjectivity. Frank “Big Black” Smith, a captive who became the head of security during the rebellion, described imprisonment in this way:

Once you are incarcerated, in the Atticas such as this one, they take it upon themselves, meaning the administration, that you no longer think or act or have the right as a human being to express your political beliefs, to be able to talk about and do the things which is in yourself to do. I don’t think no more for myself. All my thoughts is brought about through him. If I don’t think the way he

wants me to think, then I am going against the system (Interview with Frank Smith Attica Defense Committee 1972b).

Protracted Warfare

“I’ll tell you what caused the riot at Attica: Attica,” wrote 24-year old Richard X. Clark, who would emerge as a leader of the rebellion. “From the day I entered Attica, in October 1970, I knew there was going to be a riot. The conditions that existed there made it inevitable” (Clark and Levitt 1973:3). Attica was widely understood to be among the most brutal and racist prisons in the New York State system, yet the carceral war did not begin there. It began in the New York City Jail System.¹⁷ “The fact that the prisoners of war in the Tombs, the Brooklyn House of Detention, Rikers Island,¹⁸ Kew gardens, and Queens House of Detention vomited up all the injustices that had been crammed down their throats is a people’s indictment of the corrupt city and state government,”¹⁹ wrote Kuwasi Balagoon (1971:328), a twenty-four year old captive in the Queens House of Detention. Balagoon was a member of the New York Chapter of the Black Panther Party (BPP) and the Black Liberation Army (BLA). In 1970, he and twenty other BPP/BLA members were awaiting trial for allegedly conspiring to bomb multiple police stations in New York City.

Most of the city’s jails had been constructed in the 19th century (Lewis 2009). By 1970, they were operating at more than twice their intended capacity. Swelling among the ranks of the city’s imprisoned were Black and Latino men, most of them poor, most of them captured, not because of their participation in radical politics, as was the case for Balagoon and Lumumba

¹⁷ Jails in New York City are governed by the City Board of Corrections, whereas in 1970 New York’s Prisons were governed by the State Department of Corrections. The city jails confine people who have not yet been tried for a crime and those that have either been denied bail or cannot pay bail. They also confine people who have been convicted of misdemeanors or felonies and are serving terms not exceeding one year.

¹⁸ Rikers Island is a city jail complex located in the East River, surrounded by Queens, Manhattan and the Bronx.

¹⁹ The Tombs is the colloquial name for the Manhattan House of Detention, a jail built in 1838 and one of the initial sites of the insurrection.

Shakur, but for their alleged participation in putatively non-political crimes of survival. According to the U.S. Department of Justice, by 1973 nearly half of all state captives in the United States were listed as Black (Jacobs 1982). Additionally, the *New York Times* estimated that 40 percent of the city jail population was “Spanish speaking” (Johnson 1970). It was common for captives to be confined two or three to a cell in which “a man of average height can touch the ceiling with the palm of his hand and cannot extend his arms fully without touching the walls” (Montgomery 1970a). After investigating a spate of dubious “convict suicides,” which many claimed were murders committed by guards, William J. Vanden Heuvel, said “if we kept our animals in the Central Park Zoo in the way we cage fellow human beings in the Tombs, a citizens committee would be organized and prominent community leaders would be protesting the inhumanity of our society” (Montgomery 1970b).

In March of 1970, 1,500 of the 2,200 captives within the New York Correctional Institution for Men, one of three facilities within the Riker’s Island jail complex, launched a hunger strike and work stoppage to protest New York State’s obstructive parole restrictions. They drafted a petition, collected signatures and circulated it to public officials and the media. It argued that changes to the 1967 law would ease overcrowding, a clear and reasonable argument that addressed itself to a specific administrative problem. City Corrections Commissioner George F. McGrath reportedly visited the captive strikers and conceded that their grievances were valid, yet he stated that even if he wanted to, neither he nor the mayor had the authority to change the law. It was a matter for legislative action. Anthony Principe, the department’s Director of Operations told the *New York Times* that the action was the first of its kind “on a mass basis” (N.A. 1970c). The hunger strike ended after four days, but captives at the Manhattan House of Detention, popularly known as the Tombs, initiated another protest in solidarity with Rikers.

Sixty captives refused to be locked into their cells. According to the *New York Times*, three of them had to be “forcibly” locked in and were injured in the process (Johnson 1970).

The resistance escalated on August 10, 1970, when approximately 225 captives at the Tombs seized the ninth floor of the 15-floor facility. The captives held five guards hostage until they could present their grievances to the press and the mayor. The Tombs revolt represented a critical shift from the earlier demand that addressed a technocratic problem (parole), to a political demand based on the more fundamental problem of dehumanization. The Tombs rebels prefaced their demands by saying: “We do not know how the present system of brutality and dehumanization and injustice has been allowed to be perpetrated in this day of enlightenment, but we are the living proof of its existence and we cannot allow it to continue” (N.A. 1970e; Narvaez 1970: Appendix A). They released the hostages after eight hours. The very next day, as New York City Mayor John Lindsay and Commissioner McGrath were discussing the cause of the disturbance, 800 men led another uprising at the same facility. This time they seized control of four floors, took three guards hostage, smashed windows and set fire to bedding. They eventually released the hostages, but they maintained control of the fourth floor for ten days (N.A. 1970b; Oelsner 1970).

On October 1, the war emerged at the Long Island City Branch of the Queens House of Detention (LIC). At LIC, eighty percent of captives were awaiting trial, many for longer than a year. Rebels seized seven hostages and opened every gate they could find. They tore out the electrical system, destroyed the phones, broke water pipes, destroyed the kitchen equipment, littered the passageways, set fire to the chapel and broke off the arms of the crucifix (Montgomery 1970a). Yet they also demonstrated an impressive level of self-determination and self-organization.

The rest of that day was spent tightening up the defense, and the brotherhood. Everybody seemed to be flying. Messengers to carry out the word to and from every part of the building were appointed. All tiers had representatives, and guard posts and reliefs were set up. At least two security teams roamed the building at all time. The battle plan was mapped out (Balagoon 1971:330).

The next day, as rebels remained in control at LIC, the war brought the entire New York City jail system to its knees. Simultaneous revolts emerged at the Tombs, the Kew Gardens branch of the Queens House of Detention, the Adolescent Remand Shelter on Riker's Island and the Queens House of Detention. Robert D. McFadden, a reporter for the *New York Times* wrote, "the situation had become one of the most serious crises in the history of the city prisons. More than 1,400 inmates in three jails were in command of scores of cellblocks and were holding a total of 23 hostages – including three guard captains, 14 guards and six civilian employees " (Mcfadden 1970b).

Meanwhile, the LIC rebels were determined to publicly negotiate their demands. They demanded and were granted, "full TV coverage and the fascist press to come and serve a just function" (Balagoon 1971:332). They demanded the presence of specific outside observers, including former Bronx Borough President Herman Badillo and Brooklyn Representative Shirley Chisholm, who agreed to lend their support. They also elected a multiracial committee of spokesmen, which included Lumumba Shakur, another Panther 21 defendant and Victor Martinez, a captive representing, "all the Hispanic and oppressed peoples" (AP Archive 1970; Badillo and Haynes 1972; Sibley 1970). Martinez read their collectively authored statement, which began:

The men of this institution for the first time, acted like men and demanded their rights: basic rights of dignity, respect and justice. This system, which has oppressed us for the last 400 years and we're here to put a stop to it. And the men there now. There are 300 men there now. . . and make this known that we are ready to die and kill unless you give us back our rights. Now make this known. Make this known to your press (AP Archive 1970).

During the press conference, the negotiators demanded that New York Supreme Court Judges come to the jail and hold bail review hearings while captives still held hostages. Hesitant at first, the judges acquiesced after receiving pressure from Governor Rockefeller (Badillo and Haynes 1972). They held parole hearings on the grounds of the occupied jail. Nine captives were paroled on the spot and four had their sentences reduced. Herman Badillo wrote, “it was perfectly clear that had the judges stayed to hear all 460 cases, at least 400 of those men would have been freed on the spot” (Badillo and Haynes 1972:20-1).

The LIC revolt signaled important organizational, tactical and rhetorical developments that would later reappear at Attica. Success in forcing the administration to address their demands and achieving the immediate release of some of their ranks amounted to a psychological and strategic victory. Articulating the euphoria of collective rebellion, Balagoon wrote:

It was a trip, a really hip experience. The only relief oppressed people can get is to strike out against the oppressor, and it is the only freedom we know of. The freedom of doing what you think is right and doing what you must do, of saying fuck the consequences. Embraced by a natural high, I looked into the faces and the eyes of my brothers; the vibrations were right on. I wish I could express the spiritual explorations that took place. It was a religious experience. ‘Trane would have to play it, and Henderson and Villon would have to put it into colors. It was art and it was life (Balagoon 1971:326).

On October 3, hundreds of captives at the Brooklyn House of Detention seized three more guards at that facility. But October 3rd was also the day the city began to regain control over its jails. Commissioner McGrath organized a phalanx of six hundred state authorities, many who were out of uniform and wore no badges. Careful not to introduce guns to the facility, lest they be appropriated by the rebels, members of the assault force were armed with teargas and an array of blunt instruments including nightsticks, iron pipes, pickax handles, baseball bats and table legs. Rebellions at the Brooklyn House of Detention, Kew Gardens and Rikers Island were

suppressed either through surrender or “hand to hand combat.” The rebellions at the Tombs and LIC were the last active rebellions.

By October 4, the Tombs revolt had been suppressed. After a contentious vote, the LIC rebels decided to surrender. Believing they would be subjected to brutal reprisals, the nine rebels who were defendants in the Panther 21 trial barricaded themselves in the jail while the other rebels surrendered. The Panther 21 holdouts agreed to surrender only once a crowd of supporters gathered around the facility. Balagoon wrote, “the people made the pigs act in a civilized manner” (Balagoon 1971:346), yet reprisals did occur. Several reporters witnessed captives being beaten with clubs and ax handles while handcuffed.

With the surrender of the LIC rebels, *New York Times* reporter Robert D. McFadden predicted the “collapse of the final strongpoint of the inmate uprising,” adding that the surrender of the rebelling captives was “anticlimactic” (Mcfadden 1970a). However, McFadden did not yet realize that this was only the beginning. The generalized insurrection had begun to imbue the entire captive population with a new revolutionary consciousness, as Balagoon wrote:

The night passed into Monday morning, and as it did, people began to cluster in groups according to their feelings. Feelings had accelerated from an already supersonic speed. And the different undercurrents began to ascend to the sea of consciousness of all. Political consciousness varied in a fan of degrees; the tide of political consciousness had surely risen since the rebellion erupted. “power to the people” and “off the pig” was shouted, and certainly understood and meant by a large segment of [the] prisoner population from the git-go. And cultural differences were brought to light at the start and not permitted to become barriers. Everything said in English at the meetings was also said in Spanish, from the onstart. And “brothers” became a thing of who thinks alike rather than a thing of who looks alike (Balagoon 1971:338).

The war would soon erupt in the state system; its spread accelerated by the prison itself. Prison administrators and city officials understood rebellions in technical terms as almost purely a problem of overcrowding. They thus sought to diffuse the insurrection by transferring captives

to relieve overcrowding, which instead facilitated its spread. Following the first Tombs revolt, Commissioner McGrath brokered a transfer deal with Robert D. McGinnis, the Commissioner of the New York State Prison system. Captives in the city jails were sent to Napanoch, one hundred miles north of New York City; to Clinton, near the Canadian border; to Auburn, in central New York State and to Attica 340 miles to the west (see Figure 1). The transfers began on October 1, 1970 and by January of 1971, 2,662 captives had reportedly been transferred out of New York city jails and into New York state prisons (Kaufman 1970a; Lubasch 1970; Lynn 1971).

As Berger (2014) has shown, prison authorities use transfers to preserve institutional integrity, but in doing so they often intensify resistance. Many of the transferred city captives had been politicized by the jail revolts. When they entered state prisons they brought their experiences, their analysis and their solidarity networks with them. Herbert X. Blyden, one of the leaders to emerge in Attica, was also a leader in the Tombs insurrection. Intensified resistance soon emerged at Napanoch state prison, where all nine hundred captives had been transferred from Rikers Island (Kaufman 1970b); and at Attica, where in July of 1970, over 450 captives launched a labor strike in the prison metal shop (McKay Commission 1972:128-9).

In November of 1970, captives rebelled at Auburn prison. Eddie Ellis, a former journalist and Black Panther imprisoned in Sing Sing Prison, 340 miles away, wrote a press release about the event (Appendix B). The press release is based on information he obtained from the *New York Times* and from interviews he conducted amongst the captive population. The document gives us an account of the Auburn rebellion from the perspective of the captives and it also demonstrates an undertheorized political-intellectual dimension of prison revolt.

The trouble erupted when the overwhelming black population at the prison peacefully demonstrated in support of Black Solidarity Day on Nov 2, 1970. The demonstration took the form of a work stoppage. Many prisoners walked off their jobs and into the prison yard to observe 10 minutes of silence and to pray. Upon

seeing the men standing idle the warden, Mr. Friezer ordered them to dispense and return to work. When they refused he ordered prison guards to, “break this mess up.” The New York Times Nov 3, 1970, reported a major riot broke out and many prisoners and guards were injured, some critically.²⁰

Many of the demands made during the November 2 “Auburn Rebellion,” were similar to those made during the jail revolts: improvements to prison conditions and food, reforms to parole procedures, the opportunity to meet with public officials (a demand that was declined). Yet other demands reflected the specific needs of people who were geographically isolated and sentenced to longer terms of incarceration: improvements to the library, access to more programs oriented toward the interests of Black captives and less restrictions on correspondence (N.A. 1970a).

During rebellion, a throng of heavily armed state police encircled the facility, as they would less than a year later at Attica. But unlike at Attica, captives at Auburn agreed to surrender the hostages and return to their cells after eight hours (Arnold 1970). A condition of their surrender was a promise of no reprisals from the prison administration, a promise that was made but was not kept.

Ellis describes the administration’s response as “the most brutal humiliation of black inmates in recent years.”

The direct result of this “riot” has been that a large number of black prisoners have been arbitrarily placed in solitary confinement and denied proper medical care, food and visits. Two recently released inmates, who asked that their names be withheld for fear of reprisals from the parole board, described the conditions at Auburn State Prison as “so inhumane it is unbelievable.” They claim the prisoners accused of leading the demonstration were at various times stripped naked and viciously beaten in the snow, deprived of communicating with their families, forced to exist on bread, beans and cold tea, and have been denied legal representation of their choice. They also state that many inmates who were not part of the demonstration have been severely beaten and deprived of certain privileges in an effort to force them to testify against their fellow inmates before

²⁰ Untitled Correspondence from Eddie Ellis. January 5, 1971. Box 33. Folder 17. Larry Neal papers, 1961 – 1985. Schomburg Center for Research In Black Culture, Archives and Manuscripts Division. Ellis does not mention that captives took fifty guards and construction workers hostage.

a grand jury and later at a trial. This has been going on, they claim since Nov 3, 1970.

Although the correct names and prison numbers of all the inmates being held has not been determined, efforts to get this information to the outside are being made. It is known that the so called leaders of the demonstration are being charged with kidnapping, mutiny and insurrection. If indicted and convicted these men could receive a maximum sentence of 25 years to life imprisonment.

Efforts have been made to bring this situation to the attention of the National Black Lawyers Group, the Harlem Lawyers Association, the NAACP, the American Civil Liberties Union, Gov. Nelson Rockefeller, the National Committee for Black Solidarity Day, and numerous other civil and religious organizations.²¹

The undated document was likely authored on or shortly after November 3, 1970, the date of the *New York Times* article that Eddie cited in the release. It was not actually mailed until sometime after January 5, 1971. The likely explanation for this two-month delay is that the letter was sent “underground,” that is, it was smuggled out of the prison through unsanctioned means. Eddie sent the letter to Larry Neal, a luminary in the Black Arts and Black Power Movements (Ahmad 2007). He provided Neal with detailed instructions for how to submit copies of the release to specific organizations and individuals. By this point, *The New York Times* and other mainstream news outlets had not yet run stories about the brutal reprisals.

Eddie’s press release demonstrates that the acquisition and circulation of knowledge is integral to the praxis of prison revolt. Captives throughout the state and the nation used the resources at their disposal to closely follow these events. They actively struggled to circumvent the prison’s tight control over the flow of information. They interpreted, analyzed and created meaning out of these events. Eddie collected data by interviewing “reliable eye-witnesses,” he created a narrative of prison as an inhumane system and he utilized his solidarity networks within and outside the prison’s walls.

²¹ Untitled Correspondence from Eddie Ellis. January 5, 1971. Box 33. Folder 17. Larry Neal papers, 1961 – 1985. Schomburg Center for Research In Black Culture, Archives and Manuscripts Division.

Months later, when captives managed to smuggle information out of “strip-cells,”²² more information began to seep through the cracks in the Auburn’s façade. Captives sent letters, often written in blood, to activist groups and lawyers conveying stories of gassing, beating and starvation. One letter, described by *New York Times* reporter Michael T. Kaufman as “typical,” read:

We are engage [sic] in protracted struggle at Auburn Concentration Camp, often clashes of force, verbal confrontation, but never retreat, open conflict, war till the death. Either we who dare to fight, to resist, to demand human treatment or succumb to the wrath of tyranny and forsake the cause of human dignity or our bodies will be crushed but our spirit prevail. For we maintain no illusions of superhuman victory behind these walls we but keep aflame the spirit of the freedom fighter (Kaufman 1971).

Building Revolutionary Consciousness

Attica’s captives closely followed the war and studied the strategies deployed by prison authorities to suppress it. They responded by intensifying their efforts to build radical consciousness. The content of this consciousness was multifaceted: It included developing an understanding of criminalization and imprisonment as fundamentally political, circulating a narrative that all captives were ‘political prisoners’, building multiracial alliances that diminished administrative control, actively investigating how the prison functioned and recognizing that an organized captive population had the capacity to transform material reality.

During Attica’s metal shop strike in July of 1970, approximately 450 captives, most of them Black and Latino, refused to work for two days. Their concerted political action gained the attention of prison authorities, who responded by raising wages. Wages increased, first at Attica and subsequently across the entire state prison system, from their previous range of 6 to 29 cents per day, to 25 cents to one dollar per day (McKay Commission 1972:128-9). While this meant

²² “Strip Cells” are an ultra-punitive form of solitary confinement. At Auburn the cells were located on the roof of the prison. Men were stripped naked and held for prolonged periods of time during the winter months.

that captives were able to purchase more items they needed from the prison commissary, the commissary prices remained exorbitant. The increase did not significantly improve their daily lives, but this limited victory helped Attica's captives recognize their capacity to organize and transform material reality.

Following the strike, captives began to create and strengthen networks of communication, solidarity and political development. These networks undermined the administratively sanctioned racial and political divisions that thrived within the prison. Groups such as the Black Panthers, the Young Lords, the Five Percenters, the Black Muslims and informal networks of white captives increasingly coalesced (Diaz-Cotto 1996). Captives began to utilize their recreational time to facilitate consciousness raising and solidarity building activities in the prison yard. They kept track of global political events using the books and letters that got through prison censors. They circulated collections of reading materials and discussed political strategies and tactics in the yard. Some of these men had participated in the growing left social movements that had intensified throughout the 1960s, others had actively participated in the preceding jail and prison insurrections, and for others, this period of political education was their induction into movement building and political organization. Yet all of them were emboldened by a collective desire to alleviate, diminish and/or abolish the condition of their subjection. Joseph "Jazz" Hayden was one of the lead organizers in D-Yard prior to the revolt:

We wanted to do everything together to show our solidarity. When it came to us, the prison administration spoke with one voice, so it became necessary for us to speak in one voice. We would bring the whole yard together and we would exercise. There would be two hundred prisoners doing jumping jacks and the dust would rise up. And the police would be sittin over there with his hat over his face. And they didn't have a clue man. We used to hold legal classes on Sundays in the yard. We'd bring all the tables together and line em up (J. Hayden interview with author, November 15, 2015).

During the spring of 1971, a sociology class held in Attica's school became a key site for the development of radical consciousness. Attended by approximately fifteen captives of different racial backgrounds and from different cellblocks, the class provided a rare opening within the prison's regime of atomization. A captive named Fred LeShure, who had taught on the outside, organized the class using a seminar format (Melville 1972). Though it began as "textbook sociology," it evolved into a hub for political education and the exchange of information and eventually played a central role in raising political consciousness throughout the prison. Participants in the seminar agreed that actions needed to be taken in order to transform dehumanizing prison conditions, but they chose not to centrally coordinate these actions through the seminar itself. Instead, they encouraged captives to organize in their own cellblocks as they saw fit. During his interview with the McKay Commission, a captive named Lanny D. Boone recalls:

Our first level of concern was increasing inmate awareness to himself, to the outside and also on a political level. The various groups themselves were more or less in charge of this. Our purpose was simply to coordinate methods and ideas. . . . So we were attempting to . . . set up [p]ersonal inmate libraries, soliciting books through legal channels from the outside, making lists of what books were available through the various organizations. Correlating these lists from the various organizations, directing them so that methods of access to be [sic] set up (McKay Commission Hearings 2006:144-8).

One of the major independent actions was the formation of the Attica Liberation Faction (ALF) and the submission, on July 2 1971, of the "Anti-Oppression Platform" and "Manifesto of Demands" (Appendix C). The documents were submitted to State Corrections Commissioner Russell G. Oswald and Governor Nelson Rockefeller.²³ They largely reproduced the form, content and language of the demands issued eight months earlier by captives staging a strike in

²³ Russell G. Oswald took over as Corrections Commissioner on January 1, 1971. The Manifesto was signed by Donald Noble 26777, Peter Butler 26018, Frank Lott 26148, Carl Jones-EL 24534 and Herbert X. Blyden 22480.

California's Folsom Prison (Appendix D). The five member group was based in Attica's A-Block, yet they claimed to represent "all races and social segments of the prison" (Barkley 2011:28). Appropriating the language of Folsom, the ALF Anti-Oppression Platform, a preamble to the demands, condemned U.S. prisons as "fascist concentration camps of modern America." It continued:

We, the inmates of Attica Prison, have grown to recognize beyond the shadow of a doubt, that because of our posture as prisoners and branded characters as alleged criminals, the administration and prison employees no longer consider or respect us as human beings, but rather as domesticated animals selected to do their bidding in slave labor and furnished as a personal whipping dog for their sadistic, psychopathic hate (Barkley 2011:29).

The Manifesto of Demands, which directly follows the Anti-Oppression Platform, implored Oswald to take action on twenty-seven specific issues, including: legal representation at parole hearings, improved medical care, adequate visiting conditions, an end to the punishment for political beliefs, the ability to wage peaceful protests, improved wages and working conditions, vocational training and workers compensation, the right to form a labor union, protections from brutality and racial religious and political discrimination, more Black and Latino staff, the implementation of standard rules and procedures across facilities.

The ALF demands have two key differences from the Folsom demands. The Folsom demands were submitted in conjunction with nineteen day prison strike in which nearly 2,400 captives refused to leave their cells, making it impossible for the prison to function (Cummins 1994), while the ALF's manifesto and demands were submitted without an accompanying political action. The ALF therefore adds, "these demands are being presented to you. There is no strike of any kind to protest these demands. We are trying to do this in a democratic fashion" (Barkley 2011:30). The ALF demands also contains a conclusion that was appropriated from the demands issued during the 1970 Tombs revolt in New York City:

We are firm in our resolve and we demand, as human beings the dignity and justice that is due to us by right of our birth. We do not know how the present system of brutality and dehumanization and injustice has been allowed to be perpetrated in this day of enlightenment, but we are the living proof of its existence and we cannot allow it to continue.

The taxpayer, who just happens to be our mothers fathers, sisters, brothers, sons and daughters should be made aware of how their tax dollars are being spent to deny their sons, brothers, fathers, and uncles justice, equality and dignity (Barkley 2011; N.A. 1970e).

That the ALF incorporated demands produced through movements in New York State as well as in California reveals that captives throughout the nation were struggling against similar conditions. Their praxis also demonstrates that they were able to closely monitor local and national prison movements and communicate with those movements. Because they were not yet organizing from a significant base of power, the added conclusion in the ALF document seeks to appeal to a sense of liberal humanism. Commissioner Oswald reportedly appreciated the tempered tone of the demands. A reform minded liberal, Oswald promised to evaluate potential reforms, but captives felt that immediate action was needed.

The sociology class spurred another collective action: the collective analysis of the economic infrastructure of the prison. Captives became increasingly interested in quantifying the value produced by the metal shop, the farm and other prison industries. They relied on captives employed as porters for reconnaissance because they were more mobile than others. One of the enduring products of this investigation is Samuel Melville's "An Anatomy of the Laundry" (Melville 1972). Melville was a white captive and a committed Marxist-Leninist who was imprisoned in Attica after being convicted for bombing eight New York City government offices. He analyzes the prison laundry in order to raise consciousness about labor exploitation at Attica and build solidarity among the captive population. In the essay, Melville compares the wages of Attica's "laundry slaves" (25 cents per day) to that of the unionized, laundry worker on

the outside (\$3.50 per hour). He calculates the projected annual wages and argues that by utilizing slave labor in the prison laundry, New York State saved \$108,240 per year. Furthermore, as Melville points out, laundry slaves are able to accept cartons of cigarettes in exchange for doing the laundry of other captives. This side arrangement makes holding the position of laundry slave relatively lucrative within the employment landscape of Attica, yet by making these side deals, Melville argues that laundry slaves increase the amount of surplus labor being extracted from the captive population because the cost of individual captives' laundry was borne by the captives themselves in the form of cigarettes, rather than paid for by the prison. For Melville, this is an especially perverse arrangement since prison authorities recoup all of these wages when captives purchased items from the overpriced prison commissary. By participating in this economy Melville argues that laundry workers have allowed themselves to become "docile slaves, House Niggers, and therefore, an impediment to our Liberation" (Melville 1972:151).

On August 21, 1971 George Jackson, an imprisoned intellectual and Field Marshall of the BPP was assassinated in an apparent attempt to escape from Soledad Prison in California. Jackson had received an indeterminate sentence of one year-to-life in prison for stealing \$70 from a gas station. While in prison, Jackson emerged as a revolutionary organizer and author, publishing two books, *Soledad Brother* in 1970 and the posthumously published *Blood in My Eye* in 1972 (Jackson 1990; Jackson 1994 [1970]; Rodríguez 2006). Jackson was a brilliant interpreter and producer of revolutionary praxis and he was firmly grounded in Marxist-Leninist theory. However, he was also a close reader of Fanon and the literature of decolonization. Jackson, like Fanon, viewed the *lumpenproletariat*, not the worker, as the vanguard subject of revolutionary activity:

Believe me, my friend, with the time and incentive that these brothers have to read, study, and think, you will find no class or category more aware, more embittered, desperate, or dedicated to the ultimate remedy-revolution. The most dedicated, the best of our kind-you'll find them in the Folsoms, San Quentins, and Soledads. They live like there was no tomorrow. And for most of them there isn't (Jackson 1994 [1970]:26).

This conceptualization of revolutionary struggle inspired the captives of Attica. They admired Jackson's intellect, his courage and his assertion of political masculinity in the face of carceral dehumanization.

Jackson's death impacted intellectuals around the world, including France's Prison Information Group, who called his assassination "an act of war" (Foucault, et al. 2007:141). The day after Jackson's death, more than eight hundred of Attica's captives participated in a silent fast in honor of their fallen "Comrade George." The event was a boon to the ongoing efforts to raise consciousness and build solidarity among the captive population. As Carl Jones-El, a member of the Attica Liberation Faction describes:

This had a reaction on the people that we were trying to accomplish all along, to bring them together. We thought of, well, how can we pay tribute to George Jackson, because a lot of us idolized him: the things he was doing – the things he was exposing about the system. So we decided that we would have a silent fast that whole day, in honor of him. We would wear black armbands. So we did this. No one was to eat anything that whole day. This had an effect. We noted that if the people could come together for this, then they could come together for other things. Now it wasn't our aim, we wasn't going around talking about overthrowing the institution. . . What we were trying to do was to make everyone aware of what was happening to them (C. Jones-El interview with Attica Defense Committee 1972b).

In a letter to a former Attica captive, Samuel Melville expressed elation at this demonstration of self-discipline, revolutionary consciousness and solidarity. At the same time, he pointed out a lingering danger. Espousing abolitionist views, he believed captives still needed to deal with the basic problem of "how to avoid . . . settling for simple reforms, however 'far reaching,' as opposed to revolutionary structural change" (Melville 1972:169). This insight reveals an active

tension within the insurgent politics of the captive population, a tension that would come to the fore a month later, during the insurrection itself. That the captives were organizing against Attica's regime of dehumanization and violence was clear. Yet the affirmative demand, the long-term vision for social transformation, was not yet hegemonic.²⁴ The 27 demands issued by the ALF did not enunciate the abolitionist politics to which Melville and others in Attica and beyond increasingly ascribed.

When u come right down to it of course, there's only one revolutionary change as far as t prison system in Amerika is concerned. But until t day comes when enough of our brothers & sisters realize what that one revolutionary change is, we must always be certain our demands will exceed what the pigs are able to grant (Melville 1972:169).²⁵

Attica's Revolutionary Demand

On September 9, 1971 at approximately 8:45 AM, the captives of Attica rebelled. Captives being transported from A-Block overpowered the guards at "Times Square," a key point of confluence for the prison's four major arteries. They attacked the guards, took their keys, and began opening the cellblocks and gates, allowing the rapid spread of the rebellion from building to building. They shattered glass, ripped out the telephones and iron radiators. They used cloth torn from mattresses to set fire to the laundry, the barbershop, the clothing dispensary, the chapel and other buildings. They destroyed the cell locking and electrical systems. They burst water pipes. One gate was overcome using a forklift (McKay Commission 1972:180). They took gas guns from the armory and fired them into the corridors. They donned football helmets and fashioned an assortment of makeshift weapons out of pipes, broom handles, chains, shovels and other common items. They raided the mess hall and the commissary for food, cigarettes and

²⁴ Following Hall, et al. (1978:201) I define hegemony as the universalization of class interests.

²⁵ All spelling and grammatical variation sic.

other items. They raided the infirmary for drugs. They brutally beat several of the guards. Some of them were stripped naked and attacked with fists, kicks and their makeshift weapons.

Though these opening moments of the insurrection were an expression of “total disorder” (Fanon 2004 [1963]:2), the wanton destruction of prison infrastructure was accompanied by the selective *preservation* of specific areas of the prison. The McKay Commission reported that the classrooms in Attica’s school were largely undisturbed. “The blackboards still show such things as a math quiz and the random doodling of Attica inmates, scrawled before the explosion which rocked Attica and the entire world” (McKay Commission Hearings 2006:230). A similar phenomenon appeared a year earlier, during the Long Island City jail uprising, which caused so much damage that the entire facility had to be temporarily closed. *New York Times* reporter Paul L. Montgomery wrote that the only area of the facility that remained unscathed was the library. Montgomery quotes the beginning of one letter he found strewn on the floor. “You’ve been so good to me. If this jail were mine I [sic] open the doors. All that’s locked in could seep out through the pores” (Montgomery 1970a). By intentionally preserving these spaces, the rebelling captives articulated a demand for the capacity to participate in intellectual and communal life; a demand to negate the zone of nonbeing.

By 10:30 A.M. more than 1,200 captives had assembled in Attica’s D-Yard. They had captured and were now in control of approximately forty hostages. The state would eventually recapture most of the prison, but for the next four days, the captives would control D-Yard, and in doing so, they would mutate from captive non-humans to revolutionary “Attica Brothers” (Clark and Levitt 1973). Richard X Clark explains what it felt like to invert the power relation between keeper and kept, effectively achieving Fanon’s “minimum demand”.²⁶

²⁶ In *Wretched of the Earth*, Fanon (2004 [1963]) uses the term “minimum demand” to describe a circumstance in which the oppressed group successfully takes the place of the oppressor.

They were sitting there in the corner of the yard in various stages of undress and fright. Some had their clothes ripped. Some had been beaten. Some had swollen arms and eyes. Some were bleeding. Two of them were totally naked. Seeing the guards like that was surprising enough. But what was even more memorable to me was their expression. It was the first time I had ever seen an expression-other than hate-on their faces. They no longer had that arrogant manner. They no longer pretended they were superior. Instead, their heads were down, and they were afraid to look you in the eye, and they were whimpering like old women. The most vicious ones were now the most humble. I could feel the vulnerability of their position. They had treated us like animals, and now the tables were turned (Clark and Levitt 1973:31).

Remarkably, the captives subordinated their desire for retribution in service of higher political objectives. In fact, the entire period of carceral insurrection from 1970 to 1971 was characterized by the relative *absence* of violence committed by the rebels. They made a conscious decision not to reenact the violence that had been enacted upon them. The McKay Commission estimates that thirty-two Attica employees were injured during the takeover. “The injuries ranged from bruises, cuts, and tear-gas burns to severe lacerations requiring numerous stitches, concussions, and broken bones” (McKay Commission 1972:187). William Quinn, a guard that was posted at Time Square was among the most badly beaten. The captives released him so that he could receive medical care, but he eventually died of a head injury. Quinn was the only state employee to be killed by captives during the war.

For Morris and Hawkins (1974:31), the fact that guards were not continually brutalized and tortured provides evidence that the rebels did not “behave like revolutionaries.” I argue that to the contrary, their “restraint” was the substance of their revolutionary demand. Had they been focused on retribution alone, the rate of injuries and the death toll among the guards would have been much higher. Instead, the captives rejected the opportunity to enact violence upon the guards. This was a conscious attempt to teach the guards and the world that captives could be

treated in a humane fashion. Richard X. Clark relished his new power over the guards but explained the pedagogical strategy of not *becoming* the guards:

We knew what it had been like in the joint, we treated the hostages the way we had always wanted to be treated. It wouldn't have taken anything away from their manhood to treat a prisoner like a human being, and it didn't take anything away from ours to treat them like men (Clark and Levitt 1973:73-4).

Members of the Citizens Observers Committee as well as former hostages would later corroborate that the hostages were treated with dignity and care. After being released, Phillip Watkins, a former hostage would later say, "When they ate hot meals, we had hot meals. When they had sandwiches, so did we. We had mattresses but they didn't" (Brown 1971). According to Warren Harren, a surgeon in Warsaw County, New York who provided medical assistance during the rebellion, the captives "had constructed a shelter over the hostages, kind of a bunch of sticks and wood and so forth and taken a bunch of sheets and put the sheets over it to make a shelter for them so they wouldn't get burned in the sun" (McKay Commission Transcripts 2006:308). The Attica Brothers recognized what the guards apparently did not, that the labor of dehumanization harms the keeper as well as the kept. The significance of this strategy was not lost on The Institute of the Black World (1973:7), which recognized Attica as a revolutionary event in large part because, "the men at Attica were different from their captors."

This is a key dimension of Attica's revolutionary content. Had they been content with taking the place of their oppressors the rebellion would likely have imploded under its own weight, a possibility that seemed likely early on. At first, many of the White captives interpreted the rebellion as a race riot and prepared to defend themselves and the guards against the rebelling masses (McKay Commission 1972:153-84). Immediately after seizing D-Yard, captives with long-standing animosity began fighting amongst each other. Some were getting high on the drugs they had seized from the infirmary. Others took advantage of the opportunity to engage in

homosexual sex.²⁷ Captives devoured ice cream and whatever food they wanted, throwing their trash on the ground. D-Yard was quickly becoming littered with debris. In its infancy, the collective revolutionary possibility of the rebellion nearly gave way to the pursuit of individual gratifications and the settling of scores.

When Roger Champen, a well-known and well-respected organizer and ‘jailhouse lawyer,’ entered occupied D-Yard, he immediately recognized the need for leadership. He grabbed a bullhorn and began to organize the masses. At this point, the captives begin to utter the affirmative revolutionary demand with striking clarity. Within six hours of the takeover, the Attica Brothers developed new practices of cooperation that demonstrated a remarkable amount of discipline, organization, solidarity and political acumen. They organized a new social and political order within Attica’s walls. They demarcated and rearranged the physical geography of D-Yard, creating areas for medical care, negotiation, and rest and relaxation. They brought their sheets and mattresses outside so that all of their dealings could take place beneath the open sky. They rationed the food and those with specific skills volunteered to take on necessary tasks. Some cooked the food over open fires, others set up the public address system. They established cleanup details and appointed medical staff to look after injured rebels and hostages. They established a security force to monitor internal conflicts, guards to protect the hostages and an external security force to alert the masses to outside incursion. This new socio-political space began to take on the character of sovereign territory. Situating the significance of these acts within the broader context of Third World Liberation, Angela Davis would later write, “in a figurative sense, [Attica] evoked visions of the Paris Commune, the liberated areas of pre-revolutionary Cuba, free territories of Mozambique” (Davis, et al. 1971:46).

²⁷ In the introduction to Samuel Melville’s *Letters From Attica* (1972), John Cohen claims that men were raped during this period but I have been unable to corroborate this claim.

Through their political praxis and their creative intellect, the Attica Brothers negated the zone of nonbeing and exceeded the minimum demand. In doing so, they created the space to improvise new forms of collective sociality and subjectivity. They began to undergo a radical mutation at the level of collective being. In a 1988 interview with Sam Pollard for the film “Eyes on the Prize,” Frank Big Black Smith captures this experience of transformation with vividly clarity:

The feeling is hard to describe but it's a feeling of like being born again where you didn't have to worry about who you were or what color you were or where you were at, you know, even being in prison, you know, I didn't feel it then. I didn't even feel like I was in Attica State Prison, just to view what was happening in that yard, you know, it's like freedom. And it was a form of freedom. You know, I didn't have, you know, that keeper up on top of me and, and, I felt like whatever I was feeling, whatever I was thinking was running together, my emotions was into my thoughts and my feelings, you know, and I had all of that together and I, and I used that emotion when I was in the yard to bring, to solidify my thoughts and my feelings and that I was thinking what I was feeling. And everybody else was in that kind of vehicle, the way I felt. I felt, I felt good, ya know. I felt relieved. I felt, I guess, liberated. You know. . . It was a good feeling, and especially after we started dealing and started organizing and started talking about the conditions and started talking about why were out there and started talking about the grievances and started talking about why we were rebelling and why rebelling was necessary, the feeling became more and more and more into me and I started feeling a part of it more and it brought me more aware of really who I were, where I were, and what I had to deal with and what was being dealt with in a unified, collective fashion (F. Smith interview with Sam Pollard 1988).

The full impact and meaning of Big Black's mutation only becomes evident in comparison to his description of social death and emptiness in Section I of the Introduction. Through the act of rebellion and self-organization they generated a collective experience of being ‘born again.’ During his first visit to the yard, Tom Wicker asked Herbert X. Blyden, a leader of the rebellion, for his full name, Blyden responded, “I am Attica” (Wicker 1975:56). While still physically within the prison, the Attica Brothers felt themselves becoming no longer of the prison.

Describing this sense of freedom and sociality during their first night in occupied D-Yard,

Richard X. Clark wrote:

So we walked around, talking softly, just rapping. It was the first time we'd ever seen one another at night, and we just walked through the yard checking. We went through each group. . . me and Shockanee and a brother named Ahmel, who had one arm and walked with a cane and whom I knew from Auburn. . . He was a Five Percenter²⁸ with a beautiful understanding.

There were many other brothers walking around that night, in twos and threes, just strolling, like at a picnic or carnival, just relaxing. We talked on memories of good times, of bad times, we got a lot of gossip. . . we drank some pineapple juice and orange juice and smoked without worrying and check on the hostages and talked to Roland Barnes and tucked some brothers in for the night (Clark and Levitt 1973:79-80).

Like the uprising at the Long Island City jail a year earlier, captives decided to publicly negotiate with the state for the release of the hostages. They formed a committee of spokesman composed of two democratically elected leaders from each cellblock and made a deliberate effort to ensure the committee represented the various racial, religious and political interests among the captive populace. The Attica Brothers requested the presence of a neutral observers committee to facilitate and observe their dealings with the state, a strategy that was also used at Long Island City. They collectively authored written demands, and as they carried out these actions, they strengthened their solidarity. The Attica Brothers verbally demanded to meet with Correction's Commissioner Russell G. Oswald in occupied D-Yard so that anyone who wanted could participate in deliberations. During Oswald's first visit, the Attica Brothers verbally demanded food, water, radios, the presence of reporters, the removal of the armed troopers stationed on the rooftops, and assurance that that captives being held in other areas of the prison were not being abused (McKay Commission 1972:220). These verbal demands, which were granted, reveal the Attica Brothers' desire to preserve and extend the new situation they created. Tom Wicker recognized this fact, describing it as "one of the most peculiar aspects of the Attica uprising."

²⁸ The Five Percenters are a sect of the Nation of Islam that have a strong presence in U.S. prisons.

Many of its participants and supporters regarded [the rebellion] less as a power play or an unexpected opportunity (or danger) or even a political act (whether in the cause of prison reform, black power, or social revolution) than as a *proper condition* in itself, of greater validity than the restoration of accustomed authority (Wicker 1975:63).

During the rebellion the Attica Brothers established their own legitimacy and demonstrated their capacity to meet their materials needs. This was a revolutionary achievement that enabled them to proclaim their humanity and their manhood. So said a 21 year-old Attica Brother named L.D. Barkley, who was elected to read the now famous, “Declaration to the People of America,” (Appendix E) a collectively authored statement in front of the film cameras:

We are men. We are not beasts and we do not intend to be beaten or driven as such. The entire prison populace, that means each and every one of us here, have set forth to change forever the ruthless brutalization and disregard for the lives of the prisoners here and throughout the United States. What has happened here is but the sound before the fury of those who are oppressed”(Wicker 1975).

The written demands that Barkley read were largely confined to the realm of reason. Most of them “dealt with specific internal conditions that had long been among the grievances voiced by inmates: wages, religious freedom, censorship, parole, medical care, food, education, and recreation” (McKay Commission 1972:222). Others were ‘unreasonable,’ including the demand for amnesty, transportation to “non-imperialist country,” and the removal of the walls that divided the prison. Observers and state authorities, seeking a swift resolution, expressed frustration at not being able to ‘pin down’ the essential demands:

It seemed to be the studied technique of the inmates to keep their demands so confused and confusing that they could never be quite pinned down to what was central and what was not. Or perhaps that there was no procedure by which all of –yard could agree on a firm set of demands, then stand on them. At any rate, when Brother Herb had finished reading the fifteen, he immediately added two more (Wicker 1975:80).

For Wicker, the amorphous and constantly evolving nature of the demands was either an expression of Machiavellian strategy or procedural ineffectiveness on the part of the captives.

However, there is another possible interpretation: the amorphous nature of the written demands can be read as a reflection of the active tension between reform and revolution at the site of the rebellion. By seizing control of the prison and creating a new social and political order, the captives had *already* uttered a demand for revolution. But the legitimacy of this demand was dubious to Wicker and others who enjoyed “inalienable” political rights, bodily mobility, and who believed “in the good *intentions* of the state” (Wicker 1975:63-4). No one involved had the capacity to “grant” a demand for revolution, so to ask for as much would have been foolish. After three days of negotiation, Commissioner Oswald publicly committed to instituting twenty-eight of the rebel demands (Special to The New York Times 1971). While these demands did not accommodate their desire for revolution, through their praxis, the Attica Brothers demonstrated what revolution might look like.

Chapter 3

Pedagogy of State Power: The Recapture of Attica and Reform as Counterinsurgency

“In the quest for racial justice, winning and losing
have been part of the same experience.”
-Kimberle Williams Crenshaw (1988:1385)

This chapter examines the state’s response to the Attica rebellion as a counterinsurgency, which I define, following Ahmad (2006:36) as a “multifaceted assault against organized revolution.” Section One: “The Siege,” recounts the inauguration of the Attica counterinsurgency on September 13, 1971, when Governor Nelson Rockefeller and Commissioner Russell G. Oswald mobilized lethal violence in order to recapture the prison. It then discusses how the state assault force subjected the Attica Brothers to (un)sanctioned reprisals encompassing various forms dehumanizing torture and brutality. The state mobilized naked violence in order to regain control of the prison and this violence served a pedagogical function; it was intended to teach the captives and the public that the state would suppress revolutionary activity no matter the cost. Section Two: “Counterinsurgent Narratives,” examines how prison authorities attempted to shape public perception by controlling the flow of information and circulating narratives that absolved the state of its role in producing the rebellion, justified the siege, and invited public support for enhancements to the state’s carceral power. Section Three: “Reform As Counterinsurgency,” explores how prison authorities embarked upon a complex and protracted period of prison reform that was integral to the state’s counterrevolutionary imperative. I group the post-Attica reforms into four categories: *humanization*: the ostensible improvement of prison

conditions and the “relaxation” of deprivations; *expansion*: the enlargement of the prison system and its carceral capacity; *optimization*: the refinement, coordination and rationalization of various penal protocols; and *incorporation*: the recruitment and conscription of racial minorities, community members and even captives into the state’s carceral project.

The Siege

The Attica counterinsurgency began on September 13, 1972, at 9:46 am. Prison Commissioner Russell G. Oswald, with the blessing of Governor Nelson Rockefeller launched vicious military offensive against the rebellion. The McKay Commission correctly framed the siege through an analytic of empire, calling the spectacular use of lethal force, “a decisive reassertion of the state of its sovereignty and power” (1972:329). After a National Guard helicopter flew over the prison and dropped CN and CS gas into D-Yard, a state assault force composed of nearly six hundred New York State Police, Sheriffs Deputies, and guards from Attica and Auburn sieged the prison. Armed with state issue shotguns, scoped rifles, handguns and personal weapons, the assault force, indiscriminately fired thousands of rounds of ammunition into D-Yard (McKay Commission 1972; Useem and Kimball 1991).

Shareen Justice who was transferred to Attica after participating in the Auburn rebellion recalled the assault force repeatedly announcing, “Surrender, with your hands over your head, and you will not be harmed” (PSC 1971). Yet when the fusillade ceased, the assault force entered the yard and continued to shoot at will. Multiple captives were shot in the back. Samuel Melville was killed. L.D. Barkley was killed in what captives described as an execution. By the end of the siege, the assault force had fired more than 450 rounds, killing thirty-nine people: twenty-nine captives and ten hostages. An additional eighty-nine people were shot and countless others

severely wounded (Bell 1985). An anonymous captive compared the assault to his previous experience in the military:

Yes, I'm a combat veteran. I've seen death and destruction, and my heart-beat has quickened when the enemy softened up our area with artillery, mortars, and small arms fire, prior to an attack. I've heard the thunderous din of an infantry company, simultaneously discharging their weapons on the firing range; engaged the enemy in fast-moving combat patrol and fire-fight actions behind their lines. I've exchanged rapid-fire from a fixed position as the foe charged.

However, in all my military experiences I've never heard such deafening, sustained and concentrated gunfire as that which the troopers and "correction" officers poured into the defenseless men huddled in the D-Block yard. What a fantastic assortment of man-killing weaponry! Hand guns that shatter a man's shoulder; rifles that destroy an engine block; Thompson machine guns whose 45 caliber bullets cut a person's body in half; gas guns and deathly grenade launchers that maim, decapitate and kill; and shotguns whose pellets are each capable of inflicting instant death. The real miracle was that so many men survived. Even now we still do not know the number of men who were seriously injured and crippled for life. How many men were driven insane by the carnage and subsequent brutality? Perhaps we will never find out! (N.A. 1972c:38).

In the previous chapter, I argued that through collective organization, consciousness raising activities and concerted action, the Attica Brothers negated the zone of nonbeing and emerged as new revolutionary subjects, what Fanon (2004 [1963]) called, "the new man. The recapture of Attica was followed by a prolonged period of (un)sanctioned and nominally illegal torture inflicted upon the recaptured population in order to reassert penal authority dominance and return the captives to the zone of nonbeing. Members of the assault force scrawled racist and patriarchal epithets on the prison walls including: "black blood will flow freely. You bet your black ass; Angela Davis sucks troopers dicks; the Black Panthers are pussys; die Jackson, die; All Blacks are Niggers" (N.A. 1972c:37). Captives were made to strip naked and run through a gauntlet of swinging clubs. They were spit on, insulted with dehumanizing epithets, burned with cigarettes and subjected to sleep deprivation and other forms of psychological torture (Bell 1985). Big Black recalled his brutalization in the following way:

I was taken out of the yard and I was put on a table, nude. My body at present have cigar burns, cigarette burns, all over it. My testicles, at times, bother me now from cigarette butts, ticks, rifles. Laying on the table with my head looking up at the catwalk, being spit on, hot shells thrown on my body, cigarettes thrown on my testicles. Every once in a while they had a football under my throat, I had to lay in that position and if the football fall, I am looking up at a shotgun and if it falls from under my chin, I would be killed. I was taken off the table and was brought to this front door out here and was brutally assaulted for 45 minutes to an hour. This mark that I have in my, a scar right there as you can see, I received that. My back, my arms, my legs, everything, I couldn't even walk. That's how bad I was beaten by five pigs, and each and every one I know. I was taken to the hospital, treated as a beast, no assistance at all. I was laying on the floor. I was stepped on five or six times. I was taken in a room by myself and was beaten in my testicles, almost to the extent that I passed out, with a rifle butt. "nigger, Black power, huh, Black power, huh?" That's all was said to me while I was in that room. Criticizing, provoking, trying to make me be the animal that he is; to reverse the victim to the criminal, the criminal to the victim. I was taken out of the hospital brought back outside, where you come in the door, dumped on the floor in the elevator, was kicked, beat, all the way upstairs in maximum security and throwed in a cell, nude with the windows open. Nothing in the cell but a mattress and a pillow and a toilet and a sink for two days. I tried to cover up with my pillow. Can you imagine 250 pounds getting under a pillow? State troopers and police came by and say, "Nigger, get out from under that pillow, if we wanted you to have a cover, we would give you one. You going to die in the morning, nigger, so it don't make no difference no way, whether you freeze or we kill you" (F. Smith Interview with Attica Defense Committee 1972b).

Evidence suggests that even more intense forms of sadism pervaded Attica following the siege.

In "Petition for Certificates Extraordinary," a handwritten petition submitted to the office of Governor Rockefeller in 1972, a captive named Casper Baker Gary says that he was in Attica during the rebellion and claims to have spoken to more than five hundred men who attested that following the siege, small groups comprised of three or more members of the assault force held captives at gunpoint and threatened to shoot them unless they submitted to "at least one, but not infrequently each. . . of the following despicable and savage atrocities":

1. To be forcibly raped by each of the several officers.
2. To perform fellatio on each of the several officers.
3. To kneel with his mouth open as each officer took his turn urinating in his face and/or mouth.

4. To hold his mouth open as each officer took his turn expectorating into his face and/or mouth all such mucous and/or mucus fluids and secretions as could be drawn into their mouths from their lung and nasal cavities.
5. To eat of the stools of each other the several officers after each officer had taken his turn upon the toilet, floor, ground, etc.
6. To hold still while each officer applied a lighted cigar, cigarette and/or match or cigarette lighter to his penis, testicles, rectum, and other vital parts of his body.
7. And to any and all other foul and despicable savageries as chanced to strike the fancy of any one of the several officers.²⁹

Gary's petition continues for three densely written pages. His prose vacillates between moments of lucid clarity and moments verging on madness. While Gary's accusations may never be verified according to positivist, journalistic standards, the "truth" of his claims stems from his articulation of the prison as conducive to grotesque and dehumanizing violence. The fact is that because prisons are spaces in which the master/slave relation persists - spaces of immanent social death – the possibility of being subjected to such forms of racial/sexual violence is always present.

Attica Brother Shareen Justice argued that the siege and the reprisals provided an "education" for the public. "It showed the people how the fascist system is, what Rockefeller or any branch of the government would do in cases like this" (PSC 1971:3). In a recorded telephone conversation between Governor Rockefeller and President Nixon, the President opined that the siege "might discourage this kind of a riot occurring someplace else" (Roberts 2011:A24-A9). These statements are alike in that they both recognized the state's pedagogical function toward its subjects. However, Justice and Nixon draw diametrically opposed conclusions from this theoretical insight. For Justice, the siege offered a *political* education, inviting potential revolutionaries to reflect on any strategic and tactical errors that could potentially hinder future revolutionary struggle. Nixon believed the siege would sustain state power by deterring future

²⁹ Petition for Certificates Extraordinary. Gary, Casper Baker. November 3, 1972. Nelson A. Rockefeller, 1959-1973. Central subject and correspondence files. New York State Archives.

revolutionary activity. The year after Attica, when forty-eight prison rebellions occurred, the most in a single year in U.S. history (Useem and Kimball 1991:18), Nixon's thesis was proven false. Justice's thesis remains an open question.

The state taught the public a lesson at significant cost. As Hall, et al. (1978:200) argue, "Even the coercive side of the state work(s) best when perceived as legitimately coercing – i.e. with the consent of the majority." The massacre at Attica occurred as news of the "My Lai Massacre," in which the U.S. military killed hundreds of unarmed Vietnamese civilians, was still in the headlines. This co-incidence of state violence, both foreign and domestic, facilitated the reading of Attica through the lens of U.S. empire. Many recognized the siege as an instance of what social theorist Michel Foucault called the "boomerang effect" in which the techniques of colonial violence that are prototyped in the Global South emerge and are applied against subjects of the Global North (Graham 2011:xvi). Referring to the colonial war in Vietnam, Eqbal Ahmad writes, "there is . . . considerable evidence that the forces of law and order, including the army and several local police departments, are applying the theories of pacification and counterinsurgency warfare to the problems at home." Ahmad then quotes a County Sheriff in California, who makes the material synergy between global counterinsurgencies even more explicit, "we have a bunch of young deputies back from Vietnam who tend to treat prisoners like Vietcong" (Ahmad 2006:64).

Attica was the most vivid example of the appearance of open warfare on continental U.S. soil in recent memory, but it was not the only example. The killings of student protesters on the campuses of Kent State and Jackson Universities in 1970, as well as the FBI's targeted assassination of leftist radicals throughout the 1960s and 1970s are other examples of militarized domestic encounters (Churchill and Vander Wall 2002; Newton 1980). In 1972, an anonymous

captive of Attica wrote, “Birmingham, Watts, Detroit, Newark, Jackson State, Fred Hampton, George Jackson, and now Attica prison” (N.A. 1972c:35).

While there was nothing unique about racial minorities, colonial subjects and formally imprisoned people criticizing the genocidal tendencies of U.S. empire, the synergy between foreign and domestic counterinsurgencies contributed to a more widespread loss of faith and trust in state institutions among whites. John Stockholm who prior to the rebellion considered himself a “loyal” NY DOCCS employee, was traumatized by the state’s willingness to kill its own people. “I don’t have any memory of signing a paper where I was to expect that my employer might kill me or consider me disposable.”³⁰

Counterinsurgent Narratives

Prisons operate as a technique of counterinsurgency within and beyond the prison walls. This is made possible by the prison’s ability to shape the narrative about what they do and what happens within the walls. Prison authorities often adopt vocabularies and circulate narratives that invite public consent for activities that might otherwise be the subject of public protest. For instance, prisons are commonly understood as necessary for the preservation of ‘law and order,’ a term that sounds politically neutral, but which has been mobilized to hide the targeted and often illegal suppression of subversive political activities and views (Davis, et al. 1971; Hall, et al. 1978; Khalili 2012; Wahad, et al. 1993). Likewise, the discourse of “offender rehabilitation” often masks the techniques of torture and punishment being deployed on captives within the walls (Ahmad 2006; Allen 1981; Gomez 2006; Shakur, et al. 1996). The production of counterinsurgent narratives is thus a key instrument of counterinsurgency. Following the assassination of George Jackson, the French-based Prison Information Group describes how

³⁰ Statement of John Stockholm, former NY DOCCS guard. Public Hearing Conducted by Governor George E. Pataki’s Attica Task Force (2002).

mass media becomes an accomplice to counterinsurgency, writing, “what the ruling power, the administration of the penitentiary, and the reactionary newspapers have published must be considered as ‘war communiqués’” (Foucault, et al. 2007:141).

Attica trained national and international attention upon New York State prisons and coercive state power more broadly. Whereas prison authorities were used to operating with relative secrecy, the outbreak of open warfare turned prisons into a matter of public concern. “There were trials, suits, mass rallies, press conferences, speeches, legislative acts and solemn pledges. Millions of dollars were spend to explain what happened,” wrote Scott Christianson in *The Nation* (1976:586).

During and immediately following the siege, prison authorities including Governor Rockefeller, Commissioner Oswald and several of their junior partners circulated embellished and/or spurious war communiqués that supported and legitimized violent state repression. Prison authorities recognized that they needed to create a complimentary narrative of events if their prisons were to remain publicly funded and publicly supported following a crisis of this proportion. Big Black’s statement that his tormentors were trying to “reverse the victim to the criminal, the criminal to the victim,” could also have described the initial media representations of the siege. Immediately after the assault, rumors circulated that the rebelling captives had slit the ten guards throats and that another guard was found castrated with his genitals stuffed in his own mouth. The September 14 edition of the *New York Times*, and other major news outlets circulated this narrative without confirming its veracity. In “Massacre at Attica,” the Times wrote:

The deaths of these persons by knives and gunfire reflect a barbarism wholly alien to civilized society. Prisoners slashed the throats of utterly helpless, unarmed guards whom they had held captive through the around-the-clock negotiations, in which the inmates held out for an increasingly revolutionary set of demands.

Police officers storming into the prison to rescue the hostages and restore order were stirred to savage retaliation by the horror within (N.A. 1971a:40).

The Times' uncritical amplification of the counterinsurgent narrative demonstrates the ways in which the ostensibly independent media is often an instrument of state domination, central to the construction of a hegemonic common sense (Hall, et al. 1978). This narrative justified the brutality of the siege and affirmed the need for prisons by depicting the 'barbarous' captives as the negation of civilized 'man' and the guards as 'utterly helpless' and innocent victims.

But there was a major problem. The story was false. On September 14, the day the story broke, Dr. John Edland, the county medical examiner reported that the hostages died of gunshot wounds, not knife wounds. None of the rebels had been armed with firearms, laying the blame for the hostage deaths clearly on the assault force. It was a sloppy mistake that caused a media frenzy and further contributed to the general loss of faith in state authority and institutions. Yet, despite proof that captives had not killed the hostages, many continued to believe otherwise. This was particularly true for those who lived in or around rural communities that relied on prisons for employment. They chose to believe that it was Dr. Edland, not prison authorities, who lied to protect the captives. During his testimony for the McKay Commission, Arthur O. Eve recalls a conversation he had with a Lieutenant at Clinton Prison following the siege:

He said, 'We don't want these inmates to rebel and to kill our guards as they did at Attica on September 13.

And I said, "You know, lieutenant, don't you know that the state troopers killed the hostages of September the 13th; that the throat cutting and the mutilating of bodies and the sticking of organs in the mouths of correctional officers were not done by the inmates, but they were all killed by the state troopers?" This lieutenant said, "We do not believe it. We do not believe it' (McKay Commission Hearings 2006:1100-1).

Rockefeller, Oswald and their junior partners in the prison administration advanced another counterinsurgent narrative by asserting that the Attica rebellion was a conspiracy that

was pre-planned and executed by a cadre of Black militants who were supported by “outside forces” (Farrell 1971; Oswald 1972). During the jail rebellions, City Corrections Commissioner George F. McGrath told the *New York Times*, “groups like the Black Panthers, the Young Lords and the Five Percenters, have a consciousness of themselves as political prisoners. They preach this and through coercion or force they pick up a following” (Kaufman 1970c). John L. Zelker, the Warden at Green Haven Prison, told reporters that Attica had nothing to do with prison conditions, that it was “a riot against the social establishments of America.”³¹ These war communiqués attempted to lay the blame for the rebellion solely on the shoulders of the captives by amplifying the role of radical ideology to such an extent that considerations of prison conditions need not figure into explanation for the rebellion at all. Indeed, captives are often saddled with labels such as militant, radical, incorrigible or intractable when they attempt to act in a dignified manner or assert themselves as humans. “Prisoners are either labeled as militants or communists because they speak loudly about what is happening to them” (Attica Defense Committee 1972a).

Captives had indeed developed a revolutionary consciousness. But the counterinsurgent narratives presented this consciousness as a problem of “being” rather than a problem of “becoming.” They failed to recognize or at least to admit that the development of revolutionary consciousness occurred in relation to the material conditions of the prison. During their public statements, the Attica Brothers talked primarily about the dehumanizing prison conditions they were forced to endure. By focusing the narrative on militant ideology, prison authorities were able to deflect attention away from the role of the prison in producing the rebellion. This was necessary for the maintenance of state power. Captives had long recognized that “it’s the

³¹ “The Problem in Our Prisons: Militant Factions.” *Poughkeepsie Journal*. September 15, 1971. Pg 1 – 2.

conditions that produce the men that are leaders of the society or push the society to a higher stage of development” (Attica Defense Committee 1972b). But if it became public knowledge that the rebellion was incited by prison conditions and exacerbated by the prison’s security protocols, the public would be less likely to support future prison initiatives.

This counterinsurgent narrative presented “militants” as an identifiable class or category of captive that was able to infect the otherwise docile captive population with radical ideas that always come from “outside” the prison. This narrative retroactively divests captives of their agency to willingly participate in rebellion by asserting that this militant class wins the support of the larger captive population, not through popular education and consciousness raising activities, but through “coercion.” It attempted to conflate revolutionary consciousness with mere opportunism and to reduce it to a kind of anti-establishment mania. The need to invalidate the revolutionary content of an insurgent movement is a distinguishing feature of counterinsurgencies because, as Ahmad (2006:47) states, “recognition of the revolutionary process, its causes, creative thrust, inherent justice, and the achievement of legitimacy by a revolutionary movement must cost the counterinsurgents their *raison d’être*.”

Unsurprisingly, this counterinsurgent narrative did not convince everyone. Indeed, a growing fraction of the public viewed the state’s deployment of violence at Attica as unnecessary, illegitimate and even unlawful. In an October 6, 1972, open letter to Governor Rockefeller in the *New York Post*, a Manhattan resident named P.H. Partridge wrote:

It does appear this would be a good time to make public your evidence or proof that the Attica Prison rebellion was planned and led by political radicals, since this provided the basis for the strenuous measures pursued to quell it.

It hardly inspires public confidence that inmates, many of whom were there for petty offenses, and some who were not criminals at all were executed over a

protest against obvious and admitted long-standing grievances that could have discussed and negotiated in a sensible manner.³²

Though it did not convince everyone, the counterinsurgent narrative served its purpose. It suggested that this militant class needed to be separated, not only from the public but also from the general captive population. As I will demonstrate later, this counterinsurgent narrative was mobilized to support and justify proposals to reform, expand and innovate the state prison system.

Reform As Counterinsurgency

Following Attica, several panels of experts were assembled to investigate the New York State Prisons system and propose reforms. These expert panels included The McKay Commission; The Committee on Youth and Correction; and the Select Committee on Correctional Institutions and Programs. The post-Attica reforms were conceived and implemented in multiple spheres of carceral power including the Federal Government, the New York State Legislature, the Albany headquarters of the New York Department Of Corrections and Community Supervision (NY DOCCS), and within the administrations of specific prisons. These bureaucracies responded to competing pressures. Captives, their loved ones and those who were interested in pursuing criminal justice reform demanded the state follow through on the twenty-eight points that Oswald agreed to implement during the revolt. The mostly white residents of New York's rural prison towns, fearful that the trauma visited upon the town of Attica might appear at their doorstep, petitioned their elected officials to support more repressive measures. Council 82, the state's powerful law enforcement union, threatened to break state law by going on strike if the state did not hire more guards, build more prisons, and provide more resources to the prison system. These groups were competing over contested meanings of reform

³² Untitled Letter. Office Records. P.H. Partridge. Nelson A. Rockefeller, 1959-1973. Central subject and correspondence files. Reel #17. New York State Archives.

and these tensions reveal the extent to which the prison – what it is and what it does - is the outcome of struggle.

Moreover, because of the increased public scrutiny of the prison system, prison administrators, who were used to operating with relative autonomy and secrecy, were now constrained by public opinion. In his 1972 address to the Middle Atlantic States Conference on Corrections, Commissioner Oswald admitted:

As we . . . say in New York State Correctional circles – we seemingly go from crisis to crisis, ad infinitum. We have faced crises before, from time to time, but never have we faced the situation today which involves not only the crisis but the focus of public attention on how we respond and react to each crisis as well.³³

I group the post-Attica reforms into four key domains: Humanization, Expansion, Optimization and Incorporation and I will demonstrate how they unfolded within an overarching project of counterinsurgency. I build on the Marxist analysis of policing elaborated in *The Iron Fist and the Velvet Glove* in which researchers argued that police power is characterized by two sides. The ‘hard side’ includes the deployment of state violence as a means of repressing targeted populations. The ‘soft side’ is characterized by legitimizing activities that function as “attempts to ‘sell’ the police to the public” (Center for Research on Criminal Justice 1977:48). These two sides are not at odds; rather they are both necessary for the continued operation and legitimacy of state power in moments of crisis.

In a similar fashion, I argue that the state’s multifaceted response to the Attica rebellion shows how these two sides were at work in relation to the crisis of prisons. According to Jazz Hayden, a key captive organizer in Attica prior to the rebellion, the prison reforms that followed

³³ “Meeting the Crisis in the Criminal Justice System,” Russell G. Oswald. May 6, 1972. Auburn Correctional Facility, Auburn Prison - Administration, Correctional Volunteer Services office files, 1970-1974. New York State Archives.

the siege were necessary to resolve the ensuing crisis of hegemony produced by Attica and the siege itself:

They wanted to send a message to all movements, inside and out. They were saying, ‘This is what’s going to happen to you if you rebel. We’ll kill you, and torture you, and put you in a cage.’ But they exposed themselves. They exposed that they didn’t give a fuck about nobody, the keeper or the kept. And their brutal response was televised all over the world. So at the same time they made concessions (J. Hayden interview with author, November 15, 2015).

Jazz helps us see that when the state restored law and order by deploying the iron fist, it produced a crisis of hegemony. The ensuing response needed to prevent and control future riots while also calming and enlisting public support. Therefore, the reforms that followed the siege contained both hard and soft power, enabling the state to restore hegemony and simultaneously enhance its capacity to capture, immobilize and punish its subjects.

Humanization

Humanization, the relief of deprivations and the improvement of prison conditions, was one of the most discussed post-Attica reforms. In its 1973 Multi-Year Master Plan (hereafter cited as the Master Plan) NY DOCCS identifies the “humanization of the environment throughout the entire system” as one of its chief priorities (NY DOCCS 1973:1-2). The state could no longer ignore that many of the captives’ grievances stemmed from extrajudicial punishments that were being enacted largely at the discretion of the guards. The Master Plan continues, “confinement as punishment is enough. There will be no punishment during confinement” (NY DOCCS 1973:1-2). Captive activist intellectuals had launched numerous protests to raise awareness of their plight. There were also official inquiries. An investigation into New York State Prisons, widely cited as the Greenberg Report was published months before the Attica uprising. The investigators argued that conditions throughout the system constituted “cruel and unusual punishment,” in violation of the eight amendment of the U.S. constitution

(Greenberg 1971:4). It criticized the state legislature for allowing NY DOCCS to be the most neglected and antiquated agency within the state government. It called for a “massive reexamination” of the prison system and made several reform recommendations (Greenberg 1971:18).

Oswald began implementing reforms prior to Attica. In the first six months of his administration, which began on January 1, 1971, Commissioner Oswald issued amendments to NY DOCCS directives governing censorship of mail and reading material, visitation, partitions in visiting rooms, and the use of force against captives. He also issued a directive permitting all captives to shower at least once per day. However, directives do not ensure that a meaningful transformation in the material conditions of the prison will occur. In a 1974 report entitled, “Warehousing Human Beings,” the U.S. Commission on Civil Rights contended that the Attica rebellion “abruptly interrupted the orderly progression toward reform.” The Commission’s observation is objectively correct. The Attica rebellion did, in fact, interrupt the order of the carceral structure, but in their view, this break from ‘order’ frustrated the inevitable movement toward more liberal and enlightened penal policy. The commission denies that the rebellion had anything to do with the reforms, erasing the political agency of the captives. It continues, “As Attica slowly receded from the headlines. . . department officials returned to their task of reform” (Commission on Civil Rights 1974:7-8).

In the months following the siege, Oswald addressed several of the concessions he agreed to during the rebellion. By September of 1972, reported Paul L. Montgomery of the *New York Times*, Oswald had addressed twenty-four out of the twenty-eight Attica demands. Montgomery characterized these reforms as “expanded amenities.” According to the article, by 1972, captives now had more access to hygiene products; the opportunity to take showers twice per week; the

opportunity to call home once per week; the opportunity to correspond more freely with the outside world; more access to books related to Black and Latino history; more expansive libraries; more visitation opportunities; and more recreation time, to name only a few. However, it is instructive that those demands that were not addressed were precisely those that sought to strike at the heart the state's carceral power. Not considered during this period were demands that "inmates be paid the state minimum wage, that a grand jury investigate use of profits from prison industries, that administrative resentencing of parole violators be ended, and that disciplinary segregation of inmates be stopped" (Montgomery 1972). Four years later, after scrutiny had become less intense, a *New York Times* story asserted that conditions at Attica had deteriorated and had become as bad as they were prior to the rebellion (Ferretti 1976).

From the perspective of the captive population it was clear that things had changed. But the effects of these changes were ambivalent. Some conditions might be identified as being "better" or "worst" than they were before, but none of these changes fundamentally altered the dehumanization of imprisonment. Hassan Gale, a formerly imprisoned activist who became a key member of the Green Haven Think Tank, offers a lucid critique of NY DOCCS' humanization efforts. He uses the specific example of solitary confinement, also known as the Special Housing Unit or the SHU.

It was worse before Attica and in some respects the SHU is worse now. Before Attica, you'd be in the box with nothing. You might get a bible and a rulebook, the same things you got when you came into the institution proper. After Attica you were allowed to get at least five books. Of course they went through the media review. But before you couldn't get no books. You were just in the box, almost like a hole and the food was terrible. They would spit in it. But they really were not giving a lot of time like they do now. Men get 25 years in the box now. They have a loaf of bread that they give you that's comprised of leftovers and they cut that loaf and give it to you in the box. The courts have said that this loaf of bread has enough nutrition for you to sustain good health. So that's what you get – that's all you get. Potatoes, string beans, rice – just ground up with flour and made into a loaf of bread (H. Gale interview with author, November 12, 2015).

Hassan's description reveals that while the physical aspects of the solitary cell and access to reading materials improved after Attica, the possible length of confinement was extended considerably. The food changed, yet it continued to be used as a form of punishment. According to NY DOCCS, "Nutrilof," the substance Hassan mentions, includes "all the appropriate nutrients required in an inmate's diet" (McKinley 2015). However, it reportedly tastes repugnant. Through the example of the SHU, we see that humanization literally sets the stage for the expansion of the prison system because it became a mechanism for longer terms of confinement and social isolation.

Expansion

In 1972, the New York State legislature approved a supplemental appropriation of \$12 million dollars for the state prison system, signaling that NY DOCCS would no longer be the "lowest agency on the state appropriations totem pole" (Meunier and Schwartz 1972:938). The Select Committee on Corrections and Programs (1972:5), a state appointed investigative body, reported that these funds were for "bettering the living conditions of inmates, for implementing numerous rehabilitative programs, and for implementing strengthened administration," yet it cryptically adds, "due to the present remote secure institutional network, a great deal of the injected resources will go toward providing security and supervisory services." Expansion is often presented as a way to relieve overcrowding and improve prison conditions, but in practice it is often a way to enhance the coercive power of the state. Indeed, one of the first reforms to materialize at Attica was the construction of additional gun towers overlooking the yards (Gould 1974:45; Smith, et al. 1991:86). Another initial reform at Attica was the development of Correctional Employees Response Teams (CERTs), composed of guards authorized and trained to use gas canisters and shotguns to suppress disturbances in the prison (Ferretti 1976).

Moreover, as Meunier and Schwartz (1972) note, NY DOCCS' accounting practices make it challenging for researchers to discern how specific funds are being appropriated and what they are being used for.

In the laws of 1972, the state legislature enabled the use of debt financing for future prison growth. The Master Plan indicates that in the opening months of 1973, the department had approximately 13,000 captives in its custody and projected that number to increase to 16,575 by 1978 (NY DOCCS 1973:3). To accommodate its new captives, the Master Plan called for the construction or acquisition of ten new facilities and the renovation and expansion of fifteen existing facilities. Debt financing became a key mechanism of New York's massive carceral expansion in the ensuing decades (Schlosser 1998). New York State had eighteen prisons in 1970, most of them were maximum security. By the late 1990s the state had more than seventy facilities. This is characteristic of "prison reform;" it typically consists of series of expansions. It rarely constitutes reductions, divestments or prospects for abolition. In fact, the logic of reform as expansion is so pervasive that critiques of a given reform often criticize that reform for not being expansive enough. After the passage of the debt financing legislation, the New York Committee on Youth and Correction wrote:

Funds for new and diversified facilities do not include money for the expansion of the Clinton Diagnostic and Treatment Center and other treatment facilities – the Department of Correctional Services must find the means to develop this excellent service within its restricted budget (Committee on Youth and Correction 1972:3).

After Attica, New York began to receive an influx of federal grants from the Law Enforcement Assistance Administration (LEAA). Established in 1968 to "remodel and refurbish the coercive apparatus of the criminal justice system," the LEAA doled out more than one billion dollars between 1969 – 1975, with nearly one third of that figure going to prisons (Center for

Research on Criminal Justice 1977:50-2). In 1971 NY DOCCS received an LEAA grant for \$3.5 million, the largest grant given to any prison system at the time. Total federal assistance to the New York State's carceral edifice increased from \$215,554 in fiscal year 1969-1970 to more than \$8 million dollars for fiscal year 1973-1974 (Meunier and Schwartz 1972:946). These funds ensured that prison authorities entered the 1972 fiscal year in a strong strategic position. They were able to build more security infrastructure, acquire more security technology and implement more programs. By march of 1972, NY DOCCS had more than 4,000 guards, the most in its history (Meunier and Schwartz 1972:952).

Optimization

Prison administrators worked to optimize the state's carceral power after Attica. According to the Master Plan, one of NY DOCCS' chief post-Attica goals was to achieve the "specialization of programs for the particular needs of similar categories of inmates" (NY DOCCS 1973:S-1). Prior to Attica, the vast majority of captives were being held in maximum security prisons. Following Attica there was a renewed interest in penal intervention and social engineering. Prison authorities incorporated disciplinary technologies similar to those theorized by Foucault (1977). They began trying to utilized specialized knowledge, extracted from individual captives, in order to sort captives into particular categories making the entire captive population easier to control.

With its recent influx of capital, NY DOCCS had the financial resources to pursue these carceral innovations. With LEAA grants, they began to classify and disaggregate captives into different categories of risk. They developed a typology of eighteen "offender profiles" to which captives were assigned based on a combination of "diagnostic evaluation, the nature of their offense and institutional behavior" (NY DOCCS 1973:4). Optimization worked in tandem with

expansion in that NY DOCCS planned to expand and diversify the facilities within its carceral geography. Each new or renovated facility proposed in the Master Plan was to be assigned a “security level” (minimum, medium, maximum), and a specific “program type.” Examples of program types included the following: “Diagnostic, treatment, stress assessment, and special correctional programs”; “Programming directed towards the difficult inmates with educational and occupational impairment”; “Diversified Program for tractable and reformable offenders.” The Master Plan included plans to build more minimum and medium security prisons so as to separate the captives that were labeled “tractable and programmable” from those that were “intractable” or “problem inmates.” Specific programs would then be offered to captives based on their location and profile (NY DOCCS 1973:S-4).

Captives had long demanded more program offerings. Point ten of the twenty-eight Attica demands was to “institute realistic rehabilitation programs for all inmates according to their offense and personal needs” (Wicker 1975:325). But for captives, “prison programs” should create new spaces and opportunities to pursue a collective humanity. By contrast, NY DOCCS’ idea of programs was to establish new modalities to effectively control the captive population and maintain power.³⁴ It is clear that the profiles were not oriented toward developing an authentic understanding of the captive population and their individual personalities, the definition of each profile was sufficiently vague so as to allow administrators the exercise significant interpretive discretion. For instance, profile No. 18: “Offender in Need of Prescription Correctional and Control Program” was defined in the following way:

These offenders have a history of chronically maladjusted behavior which limits their ability to participate in existing programs and are safety and security threats to personnel and inmates. They will be scheduled for intensive prescription and

³⁴ This is evidenced by the lumping together of all female captives into Profile No. 12, “The Female Offender” (NY DOCCS 1973:9). This reduction was expeditions because the proportion of female captives was relatively low.

control programming. This program will initially consist of three graded programs: prescription correctional, prescription correctional control, and “open” prescription program. Progress will be based on the achievements of objective which are mutually agreed on by staff and offender (NY DOCCS 1973:11).

Notice that the above passage uses medicalized language to imply that prison authorities are treating an illness (criminality). We can also apprehend significant rhetorical slippage between a “prison program” and “prison programming,” which is to say that it is unclear if programs are elective or compulsory. Attica Brother, Akil Al-Jundi links NY DOCCS’ emergent interest in programming to the Attica rebellion: “The administrators learned from the Attica’s, and they took the same lessons . . . [they have] become more sophisticated at isolating political prisoners under the guise of reformism or rehabilitation” (Smith, et al. 1991:89).

After Attica, one of the key ideas being explored in New York and across the nation was the possibility of creating a facility specifically designed to contain political radicals. In admission of the limits of the state’s carceral power, Robert Henderson, then the superintendent of Auburn Correctional Facility in New York argued that such a facility, “might be the only solution. We’re vastly outnumbered [by] a 1-to-4 ratio.” He continued, “we have to have people who cooperate. . . we’ve always had problems with disturbing elements. . . but we’ve never had such cohesive groups in our history. They act in concert” (Ferretti 1971). The idea of a so-called “Maximum-Security Maximum Program, or “Maxi-Maxi” prison, was originally proposed by Council 82, the guards union. After Attica, Governor Nelson Rockefeller became a staunch supporter of the idea. Prison authorities in New York looked to the Federal Bureau of Prisons as a source of guidance and expertise and were particularly interested in replicating the carceral technologies then being employed at Marion Federal Penitentiary in Illinois, a maximum security “dumping ground” where politically radical captives in the federal system were receiving “intensified treatment” (Gomez 2006:59).

In a *New York Times* article, entitled “Prisons: How Maximum Can You Get?” (Goldfarb 1971:9), Norman Carlson, director of the Federal Bureau of Prisons is quoted as saying, “Marion is different both from Alcatraz and from Attica by having an unusually large number of correctional programs, including educational and vocational training, and a full time psychiatrist. ‘Alcatraz was just a place to lock people up. Marion has a program and a mission.’” Carlson’s use of the phrase “prison programs” is deceptively ambiguous. It invites the public to imagine the relationship between prison authorities and their captives as a consensual relationship between service providers and clients as opposed to a relation of domination between master and slave. This language of liberal self-governance and rehabilitation is effective. Elsewhere in the article, Ronald Goldfarb, the Washington D.C. based lawyer who penned the article admittedly “presumes” that the programs in the Maxi-Maxi will be “special vocational and educational” sort. But having learned from the recapture of Attica, the captives had learned that the “special education” reserved for radical Black, Latino and white captives was essentially coercive. While captives can sometimes choose to participate in elective programs, they are often “programmed” through compulsory regimes. Moreover, the content of these programs is often authoritarian and explicitly coercive. As Gomez (2006:59) argues, Marion’s programs were carried out through the application of “institutional techniques that muddled commonplace distinctions between what constituted punishment, rehabilitation, and torture.”

Designed to “cure” deviants, the behavior-modification programs at Marion functioned to control and forcefully change inmate behavior, beliefs, and thoughts. Including practices as varied as brainwashing, the use of snitches and rumors, pornography, sensory deprivation, arbitrary beatings and sanctions, and complete physical, emotional, and intellectual isolation, prison authorities implemented such techniques to control, dehumanize, coerce and, as one prisoner described it, “legally assassinate” the rebellious – including write writers – black Muslims, and suspected militants (Gomez 2006:59).

Governor Rockefeller was a staunch supporter of the Maxi-Maxi idea, but he was unable to convince the legislature to approve the funds for the new, Marion-style prison. However, in the ensuing years, prison authorities achieved their goal by refurbishing existing facilities, effectively building prisons within prisons (Bukhari-Alston 1991). In a December 1972 story about the growth of punitive behavior modification in U.S. prisons, New York's Fortune Society reports that these programs were "maniacally conceived to get prisoners to adjust to prison, rather than to society" (N.A. 1972a:1). The story reports that a decommissioned hospital at Clinton Prison was being refurbished into a behavior modification center called The Adirondack Rehabilitation Center.³⁵ The article compares the "mental reorientation" techniques being conducted under the guise of rehabilitation to techniques used in the film, *A Clockwork Orange*, which was released in the United States that same year.

Incorporation

In point seventeen of the Attica demands, captives demanded the state to "institute a program for the recruitment and employment of a significant number of Black and Spanish-speaking officers" (Wicker 1975:325). Beginning in 1972 NY DOCCS addresses this demand. Prison authorities began actively recruiting racial minorities into its labor force. Three years later it formally prohibited employees from holding membership in the Ku Klux Klan.

In October of 1971, one month before the Attica rebellion, NY DOCCS employed 260 Black and Latino guards out of a total of 3,804 throughout the state system (Meunier and Schwartz 1972). Most of the non-white guards worked in Sing Sing Prison, located in Westchester County, a mere thirty miles from the Bronx. In contrast, the staff at Attica, 340 miles northwest of New York City, was 100 percent white. When L.D. Barkley stood in front of

³⁵ According to the 1980-1985 Master Plan, "litigation by inmates and media reaction to the program contributed to the short life of that program" (NY DOCCS 1981:56).

film cameras and read the collectively authored, “Declaration to the People of America,” he blamed inhumane prison conditions on “the racist administrative network of the prison” (Wicker 1975:319). Media representations circulated this unsanctioned narrative internationally.

Following the rebellion, the McKay Commission (1972:4) presented the racial composition of Attica’s guards as a major catalyst of the rebellion, asserting that “the young black inmate tended to see the white officer as the symbol of a racist, oppressive system which put him behind bars.” Beginning in March of 1972, prison authorities intensified their efforts to recruit minority guards and civilian employees from cities like Rochester and Buffalo. They also developed a program specifically designed to recruit Spanish-speaking guards. By April 1973, NY DOCCS claimed to have minority guards in every facility but two, Clinton and Comstock. They also hired minorities for 348 civilian positions throughout the department.

The incorporation of minority guards was narrated as a “humanizing reform” that would ease racial tensions and create a more humane environment. Indeed, the growing population of captives who spoke only Spanish may have been relieved at the increase of Spanish speaking staff, yet this development also enhanced the administration’s capacity for surveillance. The multicultural logic of this reform did not disrupt the condition of social and civil death nor alter the structurally antagonistic relationship between captive and guard. To the contrary, it positioned minority guards as laborers within a fundamentally racist structure. The assumptive kinship between racial minorities was instrumental to the preservation and expansion of the state’s legitimized carceral power. The ‘cultural competence’ of these new minority guards from urban centers enabled more effective communication, surveillance and management of the captive population.

This diversity and inclusion project mirrored a similar processes occurring in urban centers. In *Race, Reform and Rebellion*, Manning Marble demonstrated that incorporating people of color into institutions does not inevitably lead to the development of independent political power nor to significant material gains for working class Black people. Between 1969 and 1975, the number of Black elected officials in the United States more than tripled, from 1,125 to 3,499. Yet, this new Black political class, was largely pulled from the ranks of the burgeoning Black elite, thus “their ideological outlook and basic political practices tended to align them more with other parvenu elites than with the black working class” (Marable 2007:117-8). In 1971 Black congressmen formed the Congressional Black Caucus (CBC) in order to consolidate Black electoral power and ostensibly to advance the interests of ‘the Black Community.’ However, the following year, most CBC members were backing presidential candidates from the white political establishment.

The second aspect of this reform was NY DOCCS’ official dissociation from white supremacy. In 1975, Benjamin Ward was hired as the first African-American commissioner of NY DOCCS. Captives in New York Prisons had confronted and organized against overt white supremacist violence and terror in the pre-Attica period and they continued to do so after Attica. In 1974, the *New York Times* reported that Earl Schoonmaker Jr., then a teacher at Eastern Prison, in Napanoch, New York, was also a Grand Dragon in the Ku Klux Klan. Schoonmaker was revealed to be actively recruiting for the organization amongst the ranks of prison guards and was using white captives to recruit amongst the captive population. Upon the urging of Black and Latino organizers in Eastern, Nancy Lorie, a white, female civilian employee, blew the whistle, reporting that the Klan had been intimidating captives and setting fires in their cells. Lorie and an unnamed administrator reported seeing a roster containing the names of fifteen to

twenty other Eastern guards who were also listed as Klan members (Kaufman 1974; Saxon 1974). Captives estimated the membership to be closer to sixty. Loorie was subsequently harassed and intimidated. She received multiple letters calling her a “nigger lover,” her car was vandalized and she received threats of bodily harm (John Brown Anti Klan Committee 1977:11). Schoonmaker admitted to the accusations and was fired, not for his membership, but for distributing Klan contraband within the prison. Upon his dismissal, a spokesman for Council 82, the prison guards union, called for an investigation against Loorie for being “irresponsible.” She resigned that year (John Brown Anti Klan Committee 1977; N.A. 1974).

During the first year of his tenure, Ward issued Directive 2002, formally banning employees and volunteers from holding membership in the Klan (Appendix H). The directive admits to the presence of racial terror in New York prisons, stating, “while the investigation has revealed limited instances of direct involvement in the Ku Klux Klan by departmental employees, reports of potential activity and expressions of fear among employees and inmates are widespread and pervasive.”³⁶ Though the department could now officially claim to have taken a stance against racism and white supremacist terror, captives at Eastern and elsewhere continued to organize against the growth of the Klan in New York prisons. In a June 1, 1977 open letter, Khali Siwatu Hodari wrote:

On behalf of myself and the men at Eastern Correctional Facility, and all prisoners throughout the state of New York, I issue this open letter as an appeal for support. I am calling on all individuals and groups, and on the press, to support and join our fight against the Ku Klux Klan and other forms of organized racism in New York State. The Klan is a growing force in this country, as well as in the prisons, and it will take a concerted, conscious effort to expose and root it out (John Brown Anti Klan Committee 1977:3).

³⁶ “NY DOCCS Directive 2002: Membership in Ku Klux Klan Organization.” September 2, 1975. *NEW YORK STATE COALITION FOR CRIMINAL JUSTICE* RECORDS, 1971-1986. Series 7: Department of Correctional Services Series, 1972-83. Box 1. Bulletins & Directives, 1972-1980. M. E. Grenander Department of Special Collections & Archives. State University of New York at Albany.

Through counterinsurgency, prison authorities suppressed the occupation of D-Yard, pacified public angst and, through a protracted period of reform, strengthened the carceral system. However, the counterinsurgency did not crush all movements against the prison. It inspired new actions within and beyond New York prisons. The day after the siege, captive women held in Alderson, Federal Prison in West Virginia demonstrated in solidarity with Attica. They took over the building and led a work stoppage (N.A. 1971b). On September 22, captives at Eastern prison fasted in memorial to Attica and issued a set of demands that were virtually identical. Resistance also continued at Attica. Sometime between 1972 and 1973, a new manifesto was issued to Attica's new Warden, Ernest L. Montaye and was also sent to Governor Rockefeller's office. The first paragraph to the "Manifesto from the Monster Attica" read:

It has been more than one year since the September MASSACRE, four months since a three-day strike in which three-fourths of the men in Attica participated, and almost two weeks since a peaceful demonstration in "A: Block yard. A chronology of resistance so clear in its message that no one can claim ignorance any more. We are still waiting for the Legislature to make the changes that fall within their jurisdiction. And we are still waiting for Commissioner Oswald and Superintendent Montaye to fulfill their part of the bargain agreed to in "D" Black yard on September 13, 1971. Like the Indians that recently protested at the [Bureau of Indian Affairs] in Washington the prisoner's plight is also a trail of broken treaties. Here in ATTICA, Superintendent Montaye allows our most basic demand for Medical, Educational, and Vocational improvements to go unanswered. To these he says: "To Hell With You!" And calls for more deadly weapons. And to the public he points to such SHOW-CASE reforms as the construction of a gymnasium to support that claim that things have changed in ATTICA.³⁷

In the ensuing years a number of new political formations would emerge in different prisons. They were led by new collectives of activist-intellectuals, many directly participated in Attica and many did not. These new formations continued to build upon the solidarity and achievements of the Attica rebellion, but deployed new strategies and tactics. They struggled to

³⁷ Manifesto from the Monster Attica. N.D. Corrections Institutions, Attica, Jan. – March 1973. Nelson A. Rockefeller, 1959-1973. Central subject and correspondence files. Reel #17. New York State Archives.

continue the rebellion within and against the new context created by the state counterinsurgency. Therefore, despite the state's deployment of lethal violence, the rebellion was not crushed. As Fanon (1965:31) writes, "how can they fail to understand that no rebellion is ever vanquished? What can it possibly mean to vanquish a rebellion?"

Chapter 4:
War by Other Means:
The Green Haven Think Tank and the New Terrain of Struggle

Politics is war without bloodshed.
-Huey P Newton (2011:147)

In this chapter I demonstrate how a group of imprisoned intellectuals called The Think Tank Concept³⁸ struggled to preserve and extend the idea of Attica within and against the state's counterinsurgency against radical prison organizing. I also demonstrate how the Think Tank's ideas compelled the state to respond by launching a war of position against the continued organizing of captive activist-intellectuals. In doing so I contribute to our understanding of the "dialectic between prison rebellion and repression" (Gomez 2006:60).

I elaborate the praxis of the Green Haven Think Tank by focusing largely on the political-intellectual labor of Larry White, the group's founder, organizer and chief theoretician. Though he is a visionary thinker, my particular focus on Larry should not be interpreted as an assertion of his individual genius. To the contrary, since its inception in 1972 until its dissolution in the early 1990s, the Think Tank was a site of collective struggle. Hassan Gale and Melvin Alston were key members of the organization who presently live and struggle in the streets of New York City. Reverend Edwin Muller, Dasil Valez, Dixie Moon, Carl D. Berry, Alice Green and countless others lived in the "free world," but were key supporters of the Think Tank. Cardel "Blood" Shaird, Roger "Namu" Whitfield and Eddie Ellis were central to the organization, but have since passed away. Ibn Kenyatta, who helped develop the Think Tank's methodology, is

³⁸ Throughout this chapter I use The Think Tank Concept and The Think Tank interchangeably.

still confined in a New York State prison. I focus on Larry's life and work because he conceptualized and articulated the Think Tank's foundational purpose, strategy and tactics in writing. In order to demonstrate how the struggle between the captive population and prison authorities continued after Attica, I juxtapose the foundational Think Tank documents with the documents produced by the state's carceral bureaucracy.

In Section One: "Shifting the Terrain of Struggle: From War of Maneuver to (carceral) War of Position," I assert that in the post-Attica conjuncture,³⁹ captives and prison authorities engaged in a war of position over two key ideas: self-determination and community empowerment. In Section Two: "Larry White: A Life of Struggle," I offer a brief political-intellectual biography of Larry White, the chief organizer of the Think Tank. In Section Three: "Green Haven Prison: A New Frontier of War," I reveal the ways in which, during the post-Attica conjuncture, Green Haven prison became a strategic site in the emergent war of position. In Section Four: "The Green Haven Think Tank Concept," I draw on interviews and formative Think Tank documents to elaborate how the organization extended the theories and idea of Attica at Green Haven. In Section Five: "Sanctioned Inmate Organizations and the Politics of Containment," I show how NY DOCCS was compelled to respond to the organizing and activism of the Think Tank by instituting new protocols to control and manage the circulation of ideas within the prison. In Section Six: "State Retrenchment and the Non-Traditional Approach to Criminal and Social Justice," I argue that the Think Tank's intellectual labor has circulated beyond the prison and has influenced traditional criminal justice research. Finally, in Section Seven: "Getting Out," I offer brief remarks about Larry's release from the brick and mortar prison and the current status of the protracted war.

³⁹ I use the term "post-Attica conjuncture" to describe the period from September 14, 1971 to roughly 1981.

Shifting the Terrain of Struggle: From War of Maneuver to (Carceral) War of Position

In his writings on political struggle and military war, Italian Marxist theorist Antonio Gramsci wrote that war is constituted by “mixed struggle” which occurs on various terrains. The Attica rebellion represented the outbreak of open warfare, or what Gramsci called, the “war of maneuver,” a confrontation in which “everything is condensed into one front and one moment of struggle, and there is a single strategic breach in the ‘enemy’s defenses’” (Hall 1996:427). It may initially appear as though the Attica Brothers decisively lost the war once the state suppressed the D-Yard occupation and restored its control of the facility. But a Gramscian framework helps us recognize that this is not so. Following a defeat during a war of maneuver, “the defeated army is disarmed and dispersed, but the struggle continues on the terrain of politics and of military preparation” (Gramsci 2010:229). During the post-Attica conjuncture, the war persisted on a new terrain of struggle, what I am calling a (carceral) war of position.⁴⁰ Whereas organized forces wage a war of maneuver in order to achieve a decisive and immediate military victory over the enemy, wars of position unfold as protracted struggles to achieve hegemony. In other words, they constitute struggles over the dominance and “common sense” of particular ideas, values and ways of describing the world. By theorizing the unfolding of a war of position within Green Haven prison, I am suggesting a reorientation of Gramsci’s formulation. For Gramsci, a war of position was a political struggle that occurred within the various domains of civil society - schools, churches, cultural organizations and voluntary associations. However, as an institutional form, the prison is not constitutive of civil society. Incarcerated people are exiled from civil society through a series of legal, material, bodily rituals, injunctions and prohibitions; they inhabit what Rodríguez (2006:37) the “carceral underside of social formation.”

⁴⁰ I am grateful to Dylan Rodriguez for urging me to adopt this vocabulary and theoretical framework.

I make no attempt to trace all the ideas and concepts that circulated through the minds and bodies of the rebels that occupied D-Yard from September 9 to September 13, 1971. Instead, this chapter focuses on how captives and prison authorities engaged in a struggle to define and enact competing articulations of “self-determination” and “community empowerment.” But before we proceed, it is necessary to elaborate how these ideas surfaced during the war of maneuver and the different ways the captive population and prison authorities interpreted them. This exercise will allow us to demonstrate how, after Attica, the state instituted a series of new policies, protocols and programs to make the war of maneuver disappear. I then show how the war of position unfolded around two key ideas: self-determination and community empowerment. I demonstrate that these concepts have no meaning independently of how they are applied and that the war of position unfolds as a war to define these terms and apply them in particular ways.

Self-Determination

The demand for self-determination was presented through several avenues during the war of maneuver. Perhaps its most powerful expression was the level of self-organization displayed by the captives during the five-day occupation of D-Yard. Yet, there were other examples. During the occupation, a faction among the Attica Brothers tried to convince Bobby Seal, Chairman of the Black Panther Party, to land a helicopter in D-Yard in order to liberate the rebels to a ‘non-imperialist country’ (Wicker 1975). Drawing on deep-rooted, nationalist strands of the Black Radical Tradition, this strategy implied that the survival of the captives was tied to their successful extrication, not only from the brick and mortar prison, but also from the prison of U.S. society.

Many members of the group found this idea to be an unrealistic demand, making it a source of tension between the Attica Brothers. Another faction suggested a more practical approach to achieving self-determination. According to Arthur O. Eve, after seizing the prison and demonstrating their capacity to organize, problem solve, and govern themselves, a faction within the Attica Brothers offered to return control of the facility to penal authorities in exchange for a limited form of self-determination.

At one point in the yard they said that they would give up – they would give up the hostages if the State in fact – and they told Oswald this. They said, “If you give us D-block, let us run D-block by ourselves, we will go to work every day; we will go to lunch every day we will go to everyone of our meals,” but [they] said “Just let us have control of this block and let us set up the kind of programs in here that will help us. We will do our own educational programs. We will do everything. Give us an opportunity to have some say on our lives and we can show that we will do a very excellent job and live up to all your laws and rules and regulation (McKay Commission Hearings 2006:986).

This probably felt like a reasonable demand. The Attica brothers, who had already achieved the impossible, were now only asking for the opportunity to create and manage their own programs and govern their own affairs with minimal intervention from penal authorities.

This scenario was not foreign to Commissioner Oswald. In 1970, months before he took the reigns as the newly appointed head of NY State’s carceral bureaucracy, Oswald served as a member of a consultant team that assessed a program of “inmate self-governance” at Walla Walla Prison in Washington State (Tyrnauer, et al. 1980:3). In the broadest terms, inmate self-governance is a penological strategy that enables captives to have “a say” in shaping certain aspects of their incarceration. Its roots are traceable to New York’s Sing Sing Prison, where Thomas Mott Osborne, the early 20th century prison reformer, established “inmate councils” in which captives were able to help make decisions about prison operations (Baker 1964). In practice, the amount of actual influence and power that captives are able to wield remains at the

discretion of penal authorities and is necessarily circumscribed by the administrative imperative to maintain dominance.

In 1972, Oswald implemented several self-governance oriented reforms from Walla Walla in NY DOCCS facilities. A key reform was the institution of Sanctioned Inmate Organizations (SIOs). SIOs, which will be discussed comprehensively in the following sections, are a prison protocol that allows captives to propose and govern institutionally recognized interest groups and organizations within the prison system. According to a Freedom of Information Request, submitted by the author, the first SIO to launch within a New York State Prison was the Auburn Prison chapter of the Logan Jaycees on January 16, 1972.⁴¹ In a 2001 issue of *DOCCS Today*, prison authorities refer to SIOs as a form of “inmate self-determination” (NY DOCCS 2001a:15), yet this language is imprecise. My analysis builds on that of Diaz-Cotto (1996) who argued in her book, *Gender, Ethnicity and the State*, that rather than enabling self-determination, NY DOCCS deployed SIOs as a new lever of power that facilitated the surveillance and control of the intellectual and political activity circulating within the prison. From that point forward, a war of position over the concept of self-determination unfolded as captives struggled to fight social death within and against a new form of control.

Community Empowerment

On January 1, 1970, one and a half years before the Attica rebellion, the New York State divisions of parole and prisons merged into a single entity: The New York State Department of Corrections and Community Supervision (NY DOCCS). From that point forward, NY DOCCS was responsible for confining the state’s captives as well as managing those it released, primarily to urban spaces like New York City, Rochester and Buffalo. The purpose of this merger,

⁴¹ Jaycees is an abbreviation for the Junior Chamber of Commerce, a national civic and leadership development training organization.

according to Governor Rockefeller was to, “provide greater continuity in its treatment programs from ‘institutional care through field supervision’” (N.A. 1970d).

The NY DOCCS merger reflected a national trend in the administration of criminal justice. The trend was toward achieving a version of community empowerment that would facilitate more effective law enforcement. Similar processes occurred in the 1960s, with the advent of the national community policing movement. Community policing was presented to the public as a departure from the overtly coercive policing practices that were believed to have contributed to the wave urban rebellions that swept the United States beginning in 1964; but this is misleading. Researchers at the Center for Research on Criminal Justice (1977:8-9) argue that community policing is the ‘soft’ side of police power constituted by “new strategies for ‘community penetration’ and ‘citizen participation’ that sought to integrate people into the process of policing and to secure the legitimacy of the police system itself.” In other words, community policing is about strengthening the power of police over the community. After the national community policing movement proved an effective strategy of enhancing police power and neutralizing dissent, the “community corrections” movement soon followed suit. Similar to the community policing movement, “community corrections” was designed to enlist and incorporate “the community” into the state-sanctioned project of controlling the captured.

The captives were struggling to build and facilitate a different kind of community empowerment. They believed that fostering ties with the outside would advance their project of diminishing prison authority and achieving self-determination. During the war of maneuver, communities outside the walls supported the rebellions by participating in established and newly emergent organizations such as The Young Lords Party, The Black Panther Party, Youth Against War and Fascism, The Attica Defense Committee and other loosely associated activist networks.

These organizations were central to the victories of the rebellions. “The people had saved us. They had come to our aid and we could thank them. All power to the people, we love you,” wrote Kuwasi Balagoon after a crowd of supporters encircled the Long Island City jail during the 1970 revolt (Balagoon 1971:345). It was the presence of the people that allowed Balagoon and the other rebels to surrender in relative safety. Prison authorities learned from this. The 1973 Correctional Services Multi-Year Master Plan states, “more and more, correctional professionals are coming to realize that the battle is won or lost not inside prison, but out on the sidewalks” (NY DOCCS 1973:S-7).

During the occupation of D-Yard, the Attica Brothers theorized the role of the prison and its captives in relation to Black and Latino communities in the so-called “free world.” Their life experiences had taught them that the urban ghettos from which most of them came were their own kind of carceral site. Yet they struggled to develop a language and an analysis capable of describing what the prison actually was and how it functioned within the broader carceral geography of the United States. It was common parlance for captives to describe brick and mortar facilities as ‘maximum security’ prisons and the communities of the free world as ‘minimum security’ prisons. However, during the occupation, the Attica Brothers problematized the prison and its relation to outside communities in a particular way. As Author O. Eve again recalls:

The inmates said to us, especially on Thursday night, Friday mainly, that prisons in New York State have been used as a form of dehumanization and a form of genocide process. They called it genocide. They said that the “system dehumanized us, attempts to break us and ultimately return us back to our community in which we will in fact commit crimes, physically and bodily, against our own people.” And black inmates even went further to say that . . . if you dehumanize and break us so that we no longer value human life, who are going to be our victims when we return back to our own communities; our own people and they said we did not want to be a part of that genocide process” (McKay Commission Hearings 2006:1074-5).

Captives were thinking about the prison, not as a discreet identifiable site, but as a relationship, a specifically genocidal relationship between the state and Black and Latino communities located in U.S. cities. Captives were thinking about how to abolish this genocidal relationship by fostering their own alliances with communities struggling on the other side of the prison walls.

Demands for a more open and inclusive prison system also came from the other side of the prison wall. After Attica, NY DOCCS received a deluge of inquiries and requests from a variety of concerned community organizations and individuals seeking to enter the prison and provide services, support and expertise. In 1972 NY DOCCS established a new Division of Volunteer Services in order to selectively incorporate and manage the emergent community interest in prison programs and affairs. An early NY DOCCS Volunteer Services brochure invites greater “citizens involvement,” stating that in the reformed prison environment, “each community volunteer can now make a contribution in concert with the overall goals of the Department.”⁴² The new division sought to secure and institutionalize the state’s vision of community empowerment, a vision that would enhance the prison’s legitimacy, authority and power.

During a November 13, 1972 staff meeting of NY DOCCS’ newly established Volunteer Services division, an employee named Pat Carter took meeting notes, and drew a diagram that vividly illustrates the intended function of the new Volunteer Services division (see Figure 3). Her diagram suggests that the traditional approach to criminal justice involves a relationship between the captor and captive, and that the new approach being employed by NY DOCCS was

⁴² “Citizen Involvement in Corrections.” Gary McGivern and Marguerite Culp Papers. John Jay College of Criminal Justice Lloyd Sealy Library Special Collections.

to formally insert the community into the captive/captor relationship. Yet, arrows flowing in all directions muddle the distinctions between captor, captive and community.⁴³

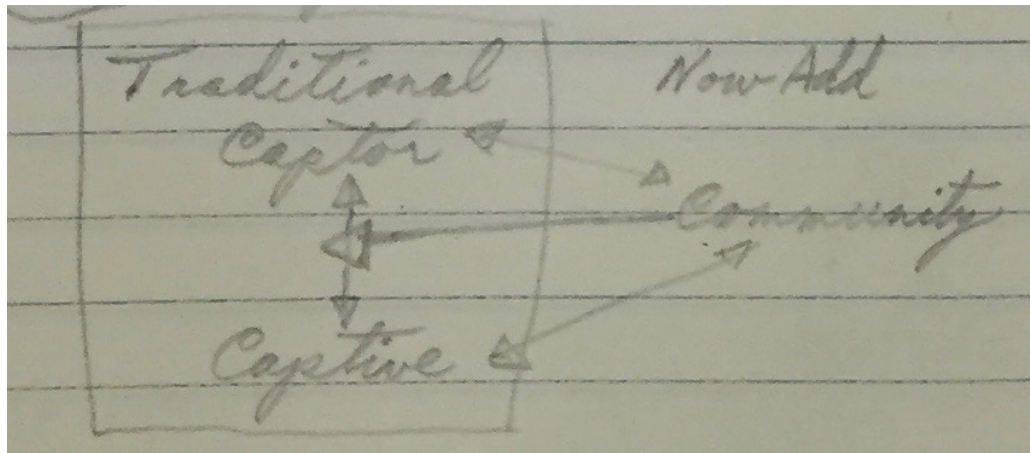


Figure 3: November 13, 1972 Meeting Notes from Pat Parker. Diagram illustrating NY DOCCS' community corrections model.

Pat Carter's diagram objectively describes the phenomena that the Attica Brothers struggled to define in D-Yard. Yet, it lacks a power analysis. The diagraph does not account for how power is exercised within the relationships between these groups. During the immediate post-Attica conjuncture, the question of how the prison was going to function and how captives would be treated was unresolved. In the state's vision of community empowerment, NY DOCCS would be the dominant entity. They would hold the power to select volunteers, define community empowerment, and dictate the terms of that engagement. In the captives vision for how the prison would function, prison authority would be subordinated to an alliance between captives and outside communities.

Larry White: A Life of Struggle

Larry White emerged as a key figure in the unfolding war of position. He was born in Bedford Stuyvesant in 1934. He and his sister were raised by their grandmother after their

⁴³ "Pat Carter Meeting Notes." Auburn Correctional Facility, Auburn Prison - Administration, Correctional Volunteer Services office files, 1970-1974. New York State Archives.

mother died during their early childhood. Larry came of age as New York City received an influx in its Black population. Black migrants from the southern United States and immigrants from the Caribbean Islands caused New York City's Black population to increase from 60,000 in 1900 to 327,706 in 1930 (Caro 1975). Explicitly racist housing policy and practice ensured that this growing population remained confined to two areas: Harlem in Manhattan and Bedford Stuyvesant in Brooklyn. These neighborhoods were overwhelmingly Black, yet residents were economically dependent on outside employers and on financial assistance from the state:

I grew up in deep poverty. We ain't have no chairs in our house. But I didn't know we were poor because this was everybody. My grandmother used to work for some white people that owned a big business. They lived way out there on the island and she'd have to go way out there, she used to cook and work for them and when she'd come back off the train and she'd be tired and give us stuff to carry back. She used to take me and my sister on the trolley car to go down to the welfare place to get the stamps and the stuff to buy food and get clothes for us. And I would see them other kids and I would say man, I want that and she would get mad. And I began to notice her and she was a good person but I could see she was tense. She felt ashamed (L. White interview with author, July 16, 2014).

The economic deprivation, geographic confinement and racial exclusion that characterized Larry's childhood was common among the men who found themselves formally imprisoned during the ensuing decades. This is why Black intellectuals such as Malcolm X, Kenneth Clark and George Jackson increasingly mobilized carceral metaphors – the prison and the colony – to describe Black urban life in the 20th century (Berger 2014; Blauner 1969). “I was prepared for prison,” wrote George Jackson in 1970. “It required only minor psychic adjustments” (Jackson 1994 [1970]:4).

Larry dropped out of school in the seventh grade. He never again pursued formal education. Yet, he continued to develop as a thinker and philosopher. For as far back as he can remember, Larry has had an insatiable thirst for knowledge and a ceaseless desire to understand

how the material world operates and how it can be transformed. He recalls that, at a young age, he began to formulate an incipient analysis of economic and racial inequality.

I spent a lot of time, even when I got a little older, I used to get on the busses just ride the buses to the last stop. I began to search the boundaries and shit. I didn't know what I was looking for but I knew there was something outside there that wasn't happening here. I would go out to different neighborhoods, Long Island and stuff and I would see what they were doing but I didn't have a sense of what made it click. There was always this question of how did this come about. Somebody was pulling the string like a puppet. I understood that this was happening but I didn't know how (L. White interview with author, July 16, 2014).

Larry recognized that inequality was unevenly distributed across geographies and he struggled to determine the mechanisms that made that possible. His method of analysis and theorization was based on his empirical observations and his desire to improve the conditions of his existence. In the years to come, Larry's capacity for analyzing situations and developing plans to resolve the contradictions inherent in a given situation would become widely acknowledged and celebrated within the captive population.

Larry survived the dire material circumstances of his youth by engaging in criminalized acts of survival. He began stealing food during his early childhood and he gradually evolved to armed robbery during his adolescence:

During those days, they had a horse and wagon that they used to bring the milk and donuts and leave it in front of the grocery stores in the morning. I used to wake up early, about six in the morning before they opened and I used to get stuff for us to eat. I was smart always, but I dropped out of school. I used to run the street with dudes in the neighborhood. I used to sit on the corner by the bar and stuff. I used to go there and watch the guys and try to hang out with the ones that was the next level up from me. They used to be dressed clean and sharp and stuff. I said that's what I wanted to be. I said man I'm getting mine and I don't give a fuck how. And I hooked up with a couple guys in the neighborhood and we started sticking up stuff (L. White interview with author, July 16, 2014).

Though he eventually came to recognize himself as a political prisoner, Larry did not initially situate his early forays into criminalized activities within a broader political framework that

accounted for the state-sanctioned production of structural racism and economic scarcity. Rather, his activities were simply a means of “getting his.”

Larry spent his formative years ensnared in city and state level carceral systems. He was first imprisoned in 1947, as an adolescent. He subsequently spent four separate terms in the state prison system. His final incarceration for armed robbery and second-degree murder occurred in 1976, bringing a 25-year to life term. At the time Larry was 43 years old.

By the time I was thirteen I was going into the joints, to the kid joints; and then from the kid joints to the adolescent joints; and from the adolescents to adult prisons. Man, I spent three quarters of my life in the joint. I grew up in prison. I was state-raised (L. White interview with author, July 16, 2014).

His description of having “grew up in prison” has multiple meanings. As a phenotypically Black man growing up in Bedford Stuyvesant in the 1940s and 50s, Larry’s mobility and his opportunities to develop into a healthy human being with the means of supporting himself and his family were severely limited. Thus in the figurative sense, to paraphrase Malcolm X, Larry was effectively born into the prison of American society (Malcolm and Breitman 1992). But Larry literally came of age, reached manhood and later achieved the status of elder, during the decades of his formal incarceration in the New York State prison system. Of even greater relevance for our purposes, is the fact that Larry’s ideas and his consciousness matured while he was in prison. The prison functioned as Larry’s school. As he struggling to analyze, escape and abolish the prison, he honed his incipient capacity for critical thinking, learned how to solve problems and cultivated his gift for teaching and organizing others.

Larry had not engaged with or been substantively exposed to Marxist or Black radical political thought or praxis prior to his incarceration. His emersion into politics occurred while he was in prison, specifically during the explosion of revolutionary consciousness produced by the

rebellions. In 1970, while confined in Auburn prison, Larry's intellect and his capacity for organization propelled him into a leadership role in that rebellion.

Auburn is where I realized I could think. I began to understand that I could write. I never tried to. But I remember, I sat down and I starting writing things down and I was shocked like where did this shit come from? So I began to write and read stuff about The Young Lords and the Black Panthers and I began to integrate their stuff into my thinking and I began to hang out with them and then it just began to evolve. I would gather us all in the back room of the library and hold secret meetings and break down the political stuff [the Panthers] was teaching, especially as it applied to prisons. I used to tell them that we all wear green. When we say prisoners, we mean all prisoners, don't matter who he is – white, black, Spanish. When we say line up we mean all of us line up, just like they line up. If one of us do something to one of them police.⁴⁴ All them police gonna stop whatever they doing and they come and beat your ass to death. We have to do the same, we've got to organize and have unity (L. White interview with author, July 16, 2014).

The Auburn rebels surrendered, but prison authorities did not honor their promise of no reprisals.

Larry and dozens of other captives were held in 'strip cells' on the roof of the facility where they were subjected to prolonged isolation and torture. During interviews, Larry remained taciturn about the experience, saying only, "they treated us horribly." Larry and other rebels were eventually transferred to Green Haven Prison, in Stormville, New York. Months later, Attica erupted in rebellion. Larry described the lesson he learned from Attica in the following way. "The big thing about Attica, is not so much the killings, but the tone and the atmosphere that it set for prisoners to galvanize our thinking. It taught us that the state only had custody of our bodies" (L. White interview with author, February 11, 2015). His statement reveals that Attica was a profoundly transformative event, even for captives who were not physically present in D-Yard during the occupation. It also provides further evidence that the state's counterinsurgent pedagogy failed. The siege at Attica did not teach him that resistance was futile. It taught him that new strategies were needed; strategies that explicitly mobilized ideas.

⁴⁴ Larry and many others refer to Prison Guards as Police, yet another discursive gesture to the functional continuity of law and order within and outside prison walls.

Prison authorities also learned from Attica and they too achieved a new level of consciousness. During the post-Attica conjuncture, NY DOCCS began to recognize that it was not enough to control and manage imprisoned bodies. They recognized that they also had to control and manage ideas. Though they publicly asserted that the problem of prisoner radicalism could be solved by isolating a militant minority, the post-Attica counterinsurgency suggests they were more vulnerable than they publicly admitted.

Green Haven Prison: A New Frontier of War



Figure 4: Aerial Photograph of Green Haven Prison, courtesy of Google Earth, March 20, 2016.

Green Haven is a maximum-security prison in Stormville, New York, approximately ninety miles north of Manhattan. Construction of the prison began in 1939 and was completed in

1941. That year, the Federal government began leasing the prison to confine U.S. soldiers convicted of crimes and international prisoners of war. The prison was returned to New York State in 1949 and it subsequently began functioning as a maximum-security prison.

Architecturally, Green Haven is reminiscent of Attica. Like Attica, the prison is divided into four major cellblocks, enabling authorities to govern each block as four separate prisons (see Figure 4). Attica and Green Haven rest on similarly sized plots – Green Haven takes up 48.6 acres of land while Attica rests on a 55-acre plot. Both are surrounded by a 30-foot wall, punctuated by gun turrets (NY DOCCS 2001a).

Prior to the rebellions, Green Haven's warden was Harold W. Follett, a man that had earned a reputation for strident racism, brutality and authoritarianism. According to Revered Edwin Muller, who began serving as Green Haven's Chaplain in 1968, there was a major labor strike in Green Haven that year:

To break the strike Follett had a 'goon squad' go cell to cell, open the cell, drag the person out, strip them naked, made them crawl on their hands and knees where they were beaten by a line of guards with clubs. They were made to yell, "my mother's a whore" and they had to oink like pigs. And that's how he broke the strike. He wanted to become known as the most innovative warden in the state or country and he beat the living hell out of anybody who made him look bad (E. Muller interview with author, July 15, 2014).

Following the Auburn prison rebellion in 1970, dozens of captives, including Larry White, were transferred from Auburn to Green Haven. After Attica erupted in rebellion three months later, Green Haven received another round of transferees, this time between 400 and 500 people. That the transferees had just come from a war was evident. *The Evening News*, a newspaper based in Poughkeepsie, N.Y., reported on the destitute physical appearance of many the transferees, observing that many were "minus eye glasses and teeth" (Davis 1972b:1). Revered Muller recalled the transferees looking like "five hundred people coming out of a

warzone” (E. Muller interview with author, July 15, 2014). In a show of solidarity Green Haven’s captives distributed a collection of cigarettes and reading materials they gathered prior to the arrival of the transferees.

According to Larry, NY DOCCS “took all the so-called ringleaders from the different prisons and for some reason put us all in the same joint” (L. White interview with author, July 16, 2014). The state is notoriously taciturn regarding how it makes decisions to transfer captives, yet evidence supports Larry’s claim that NY DOCCS developed a policy to concentrate those it identified as members of its “militant class” in Green Haven. Transfers from Attica and other facilities to Green Haven continued as months and years passed. In 1976 article entitled “Green Haven Hazard,” a local reporter conveys unease at a what she calls a “policy of transferring the most violence prisoners to Green Haven” (Davis 1976:1).



Figure 5: Green Haven Prison, photo by author. October 31, 2015.

Green Haven had recently earned a reputation as an innovative facility. Reverend Muller joined the staff after studying liberation theology. During his tenure at Green Haven, Muller had launched a number of educational, developmental and spiritual programs within the facility. According to Muller, Green Haven's immediate response to the Attica rebellion was unique. "All of the prisons locked everyone in their cells but Green Haven was the only prison in the state that didn't shut down during the riots. They opened the yards. It was a very tense time" (E. Muller interview with author, July 15, 2014). In June of 1971, the South 40 Corporation, a non-profit organization founded by William H. Vanderbilt, began to fund Muller's Green Haven programs. Muller became South 40's Executive Director and Green Haven became the site of the first college program within a New York State prison, with classes initially offered by Dutchess County Community College, and later a whole host of institutions. One of Muller's key programs was called the Cadre where he and his assistants, who were incarcerated people, identified and mentored captives deemed to have "potential." Larry was among them and recalls being exposed to a wealth of new ideas and concepts:

Reverend Muller was my mentor. All of us man. He got all of us together, all of the so-called ringleaders. He gave us a lot of stuff. He taught us how rather than rebel, to create our own programs, our own approaches and stuff. He gave us books. I remember one of the first books he gave me was Paulo Freire's book and it blew my mind. It really changed me. We'd have a group. Rev Muller would go in front of the blackboard and explain stuff and we'd talk about it. Then we'd go out in the yard. And he would always push us to start our own stuff (L. White interview with author, July 16, 2014).

What moved Larry about Paulo Freire's book, *Pedagogy of the Oppressed* (2000), was its emphasis on dialectical thinking. Friere emphasized that as people engage in collective struggle, they change their material conditions. These transformations help them realize their collective power. As they engage in struggle to change the world, they change themselves. Larry became committed to dialectical thinking, to analyzing a given situation and developing strategies based

on that analysis. He learned from Auburn and Attica and was committed to carrying on their struggle using new tactics.

We live in a world and there's a relationship. We act on the world and it acts on us. If the world – social, political, environmental – don't work for us, we strike out. It's not just us, it's the world. They say the devil's in us, the systems alright. Status quo is fine. We're saying, it's not alright. The status quo molded our behavior to commit those acts – to go to jail. We have to be activists on our own behalf and change the conditions (L. White interview with author, November 11, 2015).

In 1972, Green Haven became the location of the first labor union successfully organized by captives in a U.S. prison (Dowie 1973). Larry was one of the lead organizers, helping to draft and circulate petitions, forging interracial and inter-prison coalitions, and eliciting support from outside groups. The Green Haven Union achieved several successes: it attracted 1,800 members, virtually the entire population of the prison; it secured a court ruling which enabled captives to correspond with lawyers as a union; it obtained support from the Legal Aid Society; and it received formal affiliation with District 65 - Distributive Workers of America, an outside labor union with 30,000 members (Blankenship 2005; Dowie 1973). Larry and others understood the Union struggle as a way to establish an autonomous base of power and to foster alliances with laborers beyond the wall and thus as an extension of Attica and the ideas of community empowerment and self-determination.

This particular view of the union's political possibility was not universally shared. From the outset, some of the captives that had survived Attica were skeptical that efforts such as the labor union would usurp and delegitimize what they viewed as more appropriately abolitionist strategies. "I'm in favor of abolishing the whole penitentiary," said an anonymous captive in Attica following the rebellion. "I don't desire that you make the penitentiary like the Holiday Inn" (Attica Defense Committee 1972b:10).

Though it physically resembled Attica, Green Haven was often described by how different it was from Attica. Warden Follett died in 1970 and was replaced by John Zelker, another authoritarian. Zelker believed that the only way to prevent future revolts was for prisons to become more isolating and punitive. He disproved of the ‘innovation’ taking place Green Haven and retired in March of 1972, reportedly in protest against the implementation ‘humanizing reforms,’ especially the removal of the opaque screens that separated captors from their loved ones in the visiting room (NY DOCCS 2001a). Leon J. Vincent, who was on duty as Deputy Warden at Attica during the rebellion, replaced Zelker as warden in 1972. Guard labor was a tradition in Vincent’s family. His father and grandfather both served as guards before him. Vincent espoused ideas about penal control that were distinct from his predecessors. He apparently ascribed to the view that insurrections were inevitable. He told *The Evening News*, “Prison is like a volcano. The ingredients are always there. When it is going to erupt – no one knows” (Davis 1972b:1). Zelker’s pronouncement contradicts the counterinsurgent narrative that the rebellions were produced by militant doctrine alone. It suggests the existence of a relationship between the level of repression in the prison environment and the emergence of organized militant resistance. It also expresses a sentiment that many penal authorities know, but very few admit: that the prison always fails to exercise total control over its captives and that the best prison authorities can realistically hope to achieve is the containment of dissent within the walls and the maintenance of “surface order” (N.A. 1972b). As long as the activities of captives and the guards stay out of the public eye and a semblance of order is maintained administrators tend to be satisfied.

Beginning in 1972 under Warden Vincent, Green Haven began to “relax” and “liberalize” its regime of control. It became recognized throughout the system as less repressive in

comparison to reputed facilities like Attica, Clinton and Comstock. This was, to some extent, a consequence of geography. Whereas Attica was located in a remote section of Western New York, Green Haven was closer to the cities where most imprisoned people were from. It is fifteen miles southeast of Poughkeepsie and eighty miles north of New York City. Its proximity to cities made it easier for captives to receive visitors and forge alliances with communities outside the walls. It also meant that Green Haven had diverse staff. By October 1971, 3.7% of Green Haven's non-imprisoned laborers were listed as minority, making it among the top three most diverse facilities in the state (The New York State Advisory Committee to the U.S. Commission on Civil Rights 1974).

The liberalization of Green Haven was also the result of penal management. Dress codes, curfews and restrictions on the movement of captives within the facility were largely unenforced. Alcohol, illicit drugs and heterosexual sex were available. A formerly imprisoned man, who asked to remain anonymous, described his transfer from Clinton to Green Haven in 1980 in the following way:

When I got to Green Haven I could not believe my eyes. I swear to you when I got off the bus, it was like blanket of violence and oppression was lifted off me. Guys could get bowls of extra food. There was this guy, they called him the Mayor of Green Haven. He would always wear a green three-piece suit. I could not believe this. I was saying "was this guy an inmate"? When I got to the yard guys were saying, "I got nickel bags," "I got joints." They were peddling like we were in the ghetto. I was like, "oh, shit. I don't believe this." On the other side of the yard, there was a guy selling an am/fm radio with a TV attached. Guys were selling hooch. Guys in the visiting room were having sex with women. In the yards upstate, if you were seen walking with three or more people, they would pull a gun on you and tell you to break up. If you were incarcerated, Green Haven was the most amazing place you could be (Anonymous interview with Author, November 8, 2015).

In 1981, the Temporary Commission of Investigation of The State of New York (1981:2) summarized the prevailing attitude at Green Haven in the following way: "As long as another

Attica was prevented, as long as anyone, inmate or officer, could ‘keep a lid on,’ various rules and regulations were ignored. Green Haven became a free-for-all.”

The liberalization of Green Haven emerged within the context of the Attica counterinsurgency and the state’s incipient war of position. As we saw in the previous chapter, during the post-Attica conjuncture, NY DOCCS became increasingly concerned with creating a diverse array of facilities within its administrative arsenal. Green Haven was liberalized, but Attica, Clinton and Comstock maintained their well-earned reputations for extreme repression, brutality and racism. NY DOCCS does not hide the fact that a diverse array of facilities is useful as a form of social and political control. In a 2001 issue of *DOCS TODAY*, a magazine for prison workers in New York State, Green Haven is referred to as “honor max” prison where “inmates can earn their transfer . . . and their continued stay is conditional on maintaining a record of good behavior” (NY DOCCS 2001a:12). Blurring the distinction between coercion and consent, prison authorities were attempting to use incarceration at Green Haven as a “carrot,” that could at any point be replaced by the “stick” of intensified repression.

This is not to say that naked repression did not occur at Green Haven. In the 1970s, Green Haven was the site of New York State’s only electric chair and death row. The presence of the chair served as a reminder that even though captives were confined within a relatively liberalized and permissive environment, the state maintained the legitimated power to kill. And the killing occurred using both sanctioned and unsanctioned means. On April 29, 1975, at least eight guards reportedly killed a captive named Oliver Robinson. Captives reported witnessing them beat, hose and tear gas Robinson before his death (Special to The New York Times 1975). Despite his willingness to work within the system, Larry was not spared from repression. As his reputation as an activist and organizer grew, he came up against the limits of Green Haven’s liberalization.

He recalls being beaten, tortured and threatened with death on multiple occasions. Recalling a death threat, he said:

I remember when a guard came around and stood there looking at me. I didn't pay him no mind because I knew he was a racist bastard. He said, "well Mr. White I see you doing very fine in prison. I see you're organized. I see you doin all that work, everybody talking about it around here." He said, "let me tell you something. "We'll murder you in here and nobody would know about it. We could set you up and send you to the box." He was telling me about some kind of seeds or peanuts. He said, "we can crumple it up and put that in your body and it would murder you and they would never know. They'd think it was peanuts." (L. White interview with author, June 14, 2014).

I theorize Green Haven's liberalization as the inauguration of the war of position and a concerted attempt to deradicalize the captive population. NY DOCCS concentrated many of the captives that had demonstrated a capacity for leadership and organization during the prior two years. They then mitigated the dehumanizing conditions that produced discontent and were complicit in circulating mind-altering substances throughout the facility, a likely attempt to sedate the captives, to dull the sharp edge of the radical prison struggle and to diffuse their singular focus on abolishing the prison.

The Green Haven Think Tank Concept

During New York State's war of maneuver, rebelling captives threatened the total abolition of the prison system in one fell swoop. Through counterinsurgency, the state forestalled this possibility; yet, the abolitionist imperative was not eliminated. Under the leadership of Larry White, the Think Tank advanced a pragmatic approach to prison struggle by seeking to achieve community empowerment and self-determination. After having publicly demonstrated their capacity to mobilize organized political violence with tremendous effect, Larry believed that in the post-Attica conjuncture, prison administrators would be more receptive to the prison reform ideas and proposals of the captive population. Larry believed that this new conjuncture provided

new opportunities for greater political organization. He began organizing the Think Tank in 1972, while simultaneously building the Labor Union. However, the union movement began to ebb in 1973, after the Public Employees Relations Board issued a ruling that captives were not employees of New York State (Dowie 1973). Following this decree, Larry began to focus exclusively on organizing the Think Tank.

He elicited the support of various informal groups and networks, meeting with them and having conversations about Attica and the need for continued unity and self-organization. Captives needed only to look around to recognize that the rebellions of the previous year had ushered in a number of welcome changes to their material circumstances and Green Haven's relatively lax atmosphere facilitated Larry's organizing needs. He was able to move throughout the prison, talk to different groups of people, build relationships, and assemble impromptu meetings with relative ease.

Larry imagined the Think Tank as a policy instrument capable of empowering captives to shape the prison from within. As part of his organizing work, he struggled to express his ideas in writing, a skill he began to develop a few years earlier, at Auburn prison. His was a particular genre of writing that was singularly oriented toward building power among captive population and transforming the material conditions of the prison. His early writings demonstrate his successful appropriation and use of the language of policy, which up to that point, had been deployed as a weapon against the captive population.

The following passage is excerpted from a document that is attributed to the Think Tank Concept but which was written by Larry, who drafted it by hand and then typed it on plain white paper, which has turned yellow with age. The document is undated and titled only with the heading, "Department of programs & Research." It is unclear whether the title of this document

refers to Larry's vision for a Think Tank department of Programs & Research or alternatively if it was addressed to a specific administrative body within Green Haven or NY DOCCS. The opening lines of the introduction tacitly refute the counterinsurgent narrative that a discreet class of militants led the revolts:

The THINK TANK CONCEPT is comprised of "social activist [sic] inmates" whose traditional activities have been defined as militant, revolutionary therefore disruptive by administrative officials of the Department of Correctional Services.⁴⁵

Larry proclaims that incarcerated people have intellectual and political desires and that the militancy of Attica emerged because there was a dearth of what he calls "in-system" mechanisms, or outlets for these desires. He suggests that as long as captives are caged, severed from their communal networks, prohibited from the pursuit of knowledge, the prison will continue to produce the insurgent subject that led to Attica. He continues, "No prison program exists to develop this concern, to channel it towards existing vehicles of expression. As a result, concern becomes conflict, and involvement, confrontation."

According to the document, the inaugural purpose of the Think Tank was to improve the "life situation" of imprisoned people by transforming prison conditions and improving the "social existence" of their home communities.

The purpose of the Think Tank Concept is to allow inmates an opportunity to enter into the process of solving the broader problems of their life-situation, which they view as not one of a struggle against prison conditions solely but also the social existence of the communities to which they will return.

This objective suggests that prison conditions and community conditions are in some way related. It also asserts that captives have a role to play, not only in transforming the prison, but also in transforming conditions beyond the prison. Furthermore, it undermines penal authority by

⁴⁵ Department of Programs & Research." Author's personal collection.

asserting that captives and the community are in an alliance and that this alliance needs to be strengthened.

In what I have determined to be a later document, entitled “Greenhaven Think Tank” (Appendix I), Larry includes a passage that is similar to the one cited above, yet it includes important edits and additions. The introduction now read:

The THINK TANK is composed of socially concerned and involved inmates whose activity has been defined by traditional prison policies as “radical,” “militant,” and “disruptive.”⁴⁶

The revised document defines the Think Tank’s purpose as in the following way:

The purpose of the Think Tank is to allow inmates an opportunity to enter into the process of solving the broader problems of their life-situation, which they view as not one of a struggle against prison conditions, but rather the broader social problems of the communities to which they will return.

According to this revised document, the Think Tank is comprised of “socially concerned and involved inmates,” as opposed to “social activist inmates.” Additionally, the word “solely” was removed from the last sentence of the paragraph. Whereas the initial document suggests that the Think Tank planned to focus their efforts on both prison conditions and community struggles, the revised version effectively removes concern for prison conditions from the group’s stated purpose.

These minor edits have major implications. They suggest that from its moment of conception, the Think Tank was shaped by its subjection to political surveillance and administrative control. Attached to the revised document was a cover letter that was co-signed by Larry White and Dasil Velez, an NY DOCCS civilian employee who had recently been hired as a Volunteer Services Coordinator. Larry’s prose is thus constitutive of what Scott (1990) calls a “public transcript,” a form of speech that is uttered from a position of vulnerability within a

⁴⁶ “The Green Haven Think Tank.” Author’s personal collection.

relationship of domination. It is likely that Larry tempered his language because his continued capacity to organize within Green Haven required a high level of tact and diplomacy. Prison conditions are one of the chief concerns for incarcerated people and though conditions had been relaxed at Green Haven, Larry and others continued to think and act in solidarity with captives struggling in more repressive prisons. Larry's strategic use of language provides an example of his dialectical mode of thought.

In the preface to the Attica demands, the Attica Brothers declared that they "will not compromise on any terms except those that are agreeable to us" (Wicker 1975:319). However, captives in the post-Attica conjuncture were no longer in a position to make non-negotiable demands. Larry recognized that had his writings and proposals contained overtly confrontational language, the Think Tank would have been flagged by prison censors and his experiment with prison policy would have been destroyed before it started. In order to pursue his strategy he eschewed the strident rhetorical style that captives mobilized during the rebellions. Instead, the Think Tank's proposals take on a more conciliatory and collaborative tone. They mimic the dispassionate and disembodied language of policy and appropriate the genre and vernacular of NY DOCCS communiqués and directives.

The Think Tank's formulations do not advocate tearing down the prison gates or immediately razing all prisons to the ground. Yet they continue to mobilize the theoretical insights generated during Attica. Asserting that prisons are far more than buildings, that they constitute a relationship between the state and oppressed communities, Larry writes, "prison is but a microscopic and highly concentrated reproduction of the broader society." Furthermore, by probing the content of these texts we see that from a position of extreme vulnerability to state-sanctioned violence, the Think Tank manages to assert an abolitionist platform. They achieve

this by pursuing a strategy of “abolitionist reform.” As we have already seen, the concept of “prison reform” is ambivalent at best. Prison reforms typically strengthen, expand and extend prison authority. By contrast, abolitionist reforms are constituted by proposals intended undermine penal authority, reduce the scope of the prison and shorten its life span (Prison Research Education Action Project 2005:63).

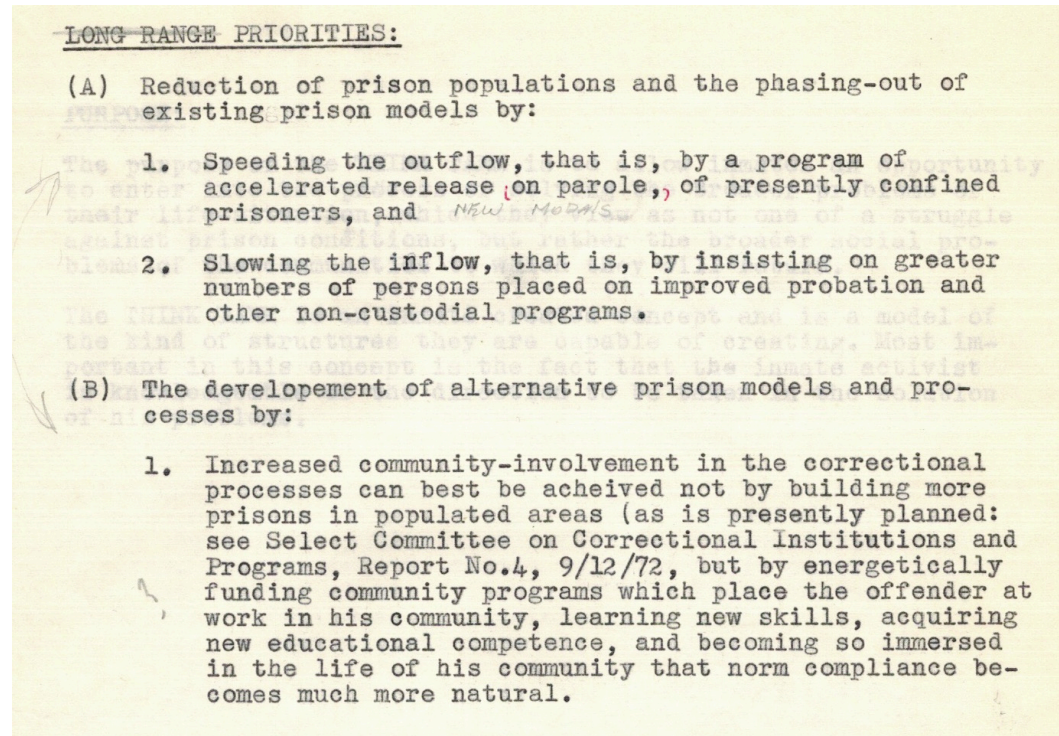


Figure 6: Greenhaven Think Tank Long Range Priorities, 1972.

As an example, we turn to the “Long Range” and “Short Range” priorities contained in the Greenhaven Think Tank document (See Figures 6 and 7). In the long-range priorities, Larry proposes to progressively reduce the prison population by pragmatically targeting its points of entry and exit. He does this with an eye toward “reducing prison populations” and “phasing out . . . existing prison models.” He was undoubtedly aware that NY DOCCS did not have jurisdiction to satisfy these objectives. Slowing the flow of captives into the brick and mortar prison would require transformations in policing strategies (the purview of city governments and police

department chiefs) and sentencing protocols (the purview of the judiciary and state law), while hastening the extrication of captives from the system would require legislative action. He knowingly presents proposals that exceed prison authority which meant that achieving these goals would require input from other parties and the reduction of prison authority. By proposing more than what the authorities were able to grant, Larry was taking a page from Attica.

He cited a 1972 report from the Select Committee on Correctional Institutions and Programs in order to critique state's version of community empowerment, which entailed the construction of smaller prisons, located closer to urban centers. By contrast, Larry's conceptualization of community empowerment required placing a moratorium on prison construction and "energetically funding community programs." He wanted the captive population and communities outside the walls to forge an alliance in opposition to prison authority. According to Larry, the state actively sought to prevent such an alliance:

Our whole thing was this, that our predicament could only be solved the closer we got to the community. I used to tell them that we weren't going nowhere without the community. I had an equation: Prisoners + the Community verses the Administration. We've got to understand that this is the position we're in. After Attica, when they killed all them brothers in there, the community raised hell. And you know what DOCCS told them? They said, "These are the people that were killing you all out in the street. We did that for you. We represent you. We protect you!" We are split from the community and their whole approach to rehabilitation is to expand that split and to keep the community seeing us in a particular light. The state tell us that it's the administration + the community versus the prisoners (L. White interview with author, April 15, 2014).

SHORT-RANGE PRIORITIES

1. The creation of a community-based organ, designed to develop greater community involvement in the creation and development of alternative prison programs and processes, and to enter into the planning processes of the Department of Correctional Services in these matters.)
2. The creation of a legislative lobby supportive of prison reform.
3. Active participation in community-prison dialogues and workshops to be participated in by Think Tank members, community elements and state correctional authorities.
4. Immediate revision of the Parole Board.

Figure 7: Greenhaven Think Tank Long Range Priorities, 1972.

The short-range priorities are notable in that the Think Tank successfully organized to bring the first three items into being. Under Larry's leadership, the group organized several programs, initiatives and events in Green Haven prison. In order to foster alliances with "community based organs" outside the prison walls, members of the group wrote letters, soliciting support from different organizations (Point One). Between 1972 and 1992 they organized several dialogues that brought together communities from inside and outside the walls (Point Three). In the late 1980s and early 1990s the Think Tank made Point Two a reality by organizing several legislative conferences within Green Haven where they invited lawmakers into the prison and lobbied them to change specific laws, including the state's parole law. It is significant that Point Four, which called for an "immediate revision of the Parole Board," is listed as a short-range priority. It signals that, despite the many grievances incarcerated people had with the parole system, the Think Tank saw parole reform as a means to a greater end, rather than an end in and of itself.

The Think Tank engaged in the war of position by attempting to exert influence upon the future development of the prison system. Larry believed that the 'all or none' tactics of the war of maneuver, were no longer viable. In the post-Attica conjuncture, captives had to forge

relationships with the administration. In order to cede power from prison authorities they had to collaborate, negotiate, and demonstrate their fitness to govern themselves. For Larry, that meant presenting himself as a problem solver. He suggested that if captives, the community and prison authorities followed his lead, that all parties could achieve their goals.

My thing is this, to change the system, it requires, one: revolution, do away with the system and start from scratch. Or, two: transformation – to transform the system to what we want. And this has to be a collaboration between the controlling authorities and the change agents – me. I have to have an understanding and collaboration with them, because I can solve their problems. I need access to do this stuff when you have a problem (L. White interview with author, November 11, 2015).

The Think Tank's strategy of engaging in the war of position and navigating prison policy was not universally accepted across the captive population. According to Hassan Gale, a prominent think Tank member, many captives were critical of the organization's willingness to negotiate with prison authorities. Hassan recalls the prevalence of a general taboo against negotiating with prison authorities. The captive population derisively referred to such attempts as "politics":

In the joint, if you we're doing certain things with the administration and talking about policies or whatever, you could be labeled a politician, which was a grimy thing. It was like the worst thing you could be called. But that's the only way you can get things done because sometimes people would appear to be politicking with the administration but they'd be doing other things too. So it was like a fine line. No, I got to work with the administration but I'm not working for the administration. But a certain element would always nay say you from a distance and say aw, them niggas politicking. But they would be the first beneficiaries of anything coming out of it (H. Gale interview with author, July 8, 2015).

According to Hassan, Dhoruba bin Wahad, who was a member of the New York Chapter of the Black Panther Party and the Black Liberation Army, was incarcerated in Green Haven during the period of the Think Tank's emergence. Wahad reportedly refused Hassan's invitation to join the organization and used to derisively refer to the group as, "The Fink Tank" (H. Gale

interview with author, November 15, 2015). During an interview, Hassan conceded that he believed the Think Tank was relatively “tame” and that he wanted the group to do more research and activism around prison conditions despite the administration’s disapproval of this line of inquiry.

In the May 1973 issue of *Midnight Special*, a newspaper focusing on prison struggle, a political formation within Green Haven, calling itself The Mau Mau Bloodbrothers published a polemic entitled, “We Shall Avenge.” The essay conceded that the war of maneuver in New York State had ended and that new tactics were needed, but rather than side with the Think Tank and participate in the elaboration of new prison programs and policy, the Mau Mau Bloodbrothers called upon Green Haven’s captives to launch an underground guerilla war within the prison:

The time for the revolutionary rhetoric and overt revolutionary action inside the maximum concentration camp is over! How you gonna be a gurrilla [sic] warrior, a successful revolutionary if you continue to expose yourself and telegraphy your punches? No, you’ll never be successful if you continue to warn your enemy that you’re planning to attack him. . . Our job, our obligation to all of our fallen comrades. There are many, many beautiful brothers that are already exposed and they are qualified to continue to teach political education and revolutionary thesis. They can and will handle all above ground activities; now for those of you that have not already exposed yourself, you should be about the business (if you’re for real, of Disrupting and destroying this whole system inside these concentration camps; sabotage, assissination [sic] and total disruption should be the by word, a fire here, a broke-up pig there, a monkey wrench in the machinery (literally). Any and everything goes, this is war, this is revolution! (The Mau Mau Bloodbrothers 1973:19).

It is unclear if the Mau Mau Bloodbrotherhood existed as an actual formation that was politically and ideologically committed to extending the life of Attica, or if they were more interested in espousing radical ideas for their own sake. However, their polemic provides evidence that captives expressed competing visions for how to enact politics in the post-Attica conjuncture.

Despite these critiques of the Think Tank's politics, the group did a tremendous amount of work that had lasting effects on that the material conditions of the prison and on the available programs. Hassan criticized many who dismissed the Think Tank's approach, saying, "the ones that were criticizing us for 'politiking' would be the first ones with their hands out when he launched a new program" (H. Gale interview with author, November 15, 2015). In the summer of 1972, the Think Tank obtained the support of the Metropolitan Applied Research Center (MARC), which was headed by Kenneth B Clark, a prominent Black psychologist and Civil Rights activist. Clark established MARC in 1969 in order to be a "pioneer in research and action on behalf of the powerless urban poor in northern metropolitan areas" (Allen 1970[1992]:144-5). Larry wrote several letters to MARC and eventually got the attention of Dr. Clark and Dixie Moon, MARC's Project Director. Moon, a resident of Harlem was hesitant to get involved with prison issues, but eventually agreed and ended up becoming an important early ally of the organization:

I was skeptical at first. I had never been involved with a group of inmates before. I wasn't sure that this was something we needed or should be involved in. but they were so persistent in requesting our assistance. They needed a community base, an organization to assist them in what they were about. So we just got involved. I think initially we just went to see what they were about. We went up there with an open mind and just followed what they were asking us to do. We got involved in Community Day – helping them get speakers. We interfaced and helped them with things they needed from the community (D. Moon interview with author, July 14, 2014).

On August 18, 1973, the day after Marcus Garvey's birthday, the Think Tank organized Green Haven's first Community Day event. With the assistance of MARC, the Think Tank obtained financial, logistical and promotional support from various groups and community organizations in New York including Malcolm-King Harlem College, MARC, the New York Urban Coalition, and the Harlem Interfaith Counseling Service. Speakers included Kasisi Weusi,

leader of Uhuru Sasa Shule, a Black nationalist school located in Brooklyn, Dr. Eugene S. Callendar, President of the New York Urban Coalition, Arthur O. Eve, the former Assemblyman who supported the rebels during jail and prison rebellions of 1970-1971 and “Queen Mother” Audley Moore, a Black Nationalist and Marxist theorist who was a leader in the Garvey movement and who helped found Black radical organizations such as the Revolutionary Action Movement and the Republic of New Afrika.

On the eve of Community Day, the *Amsterdam News*, a Black-owned daily newspaper based in Harlem, promoted the event, writing, “the spirit of unity will commence with two alternative institutions joining hearts, minds and bodies” (N.A. 1973). An NY DOCCS communiqué later reported that during Green Haven’s inaugural Community Day event, “hundreds of people [entered] into the institution with large and impressive numbers of representation from community agencies.”⁴⁷

The People’s Communication Network, an independent media production company, videotaped the event. The footage depicts a large crowd of Black women and men, many dressed in African garb, seated in rows within the prison yard. Many of them were smiling. Queen Mother Moore was the keynote speaker. The content of her address encouraged Green Haven’s Black captives to continue the work of building revolutionary consciousness. She encouraged the men to think of themselves as political prisoners by asserting that whatever crimes had landed them in Green Haven, the seriousness of those crimes paled in comparison to the crimes committed against people of color by the state:

You can’t steal from a white man, because everything he’s got, he’s stolen from you. You’re not the criminals. You are not the criminals. I want to ask you. Have you stolen anyone’s heritage? Have you stolen children from their mothers? Have you stolen wealth from the land? And have you stolen whole countries? I want to

⁴⁷ Re: Our letter 9-27-74. Louis Manual. October 20, 1974. Governor Malcolm Wilson, 1973-1974. Correctional Institution, Auburn Correctional Facility. New York State Archives.

tell you have you taken mothers and strung them up by their heels? And took your knives and slit their bellies so that their unborn babies can fall to the ground? And took your heels and crushed those babies into the ground? You are not murderess. Sure some of you have killed but you have never murdered. You're not murderers, no? . . . some of you have tried, in some small way, to imitate those gangsters, but you haven't. . . Brothers we came here today to ask you to come home to us. We came here to invite you and to let you know that we want you. We came here to tell you that you are not alone. We came here to tell you that there are brothers and sister who are waiting for your return and who are fighting for you and who have prepared places to receive you. . . you have been rejected from the man's society, but you are not rejected from black society (Horsfield 2008).

Queen Mother Moore's message was an undisguised effort to delegitimize prison authority and to build alliances with the captive population. At the time, Moore was the leader of The World Federation of African People which had established an all-Black commune named Addis Ababa.⁴⁸ Addis Ababa was part of her larger effort to build an autonomous Black society, a society that could govern itself without intervention from the state. She declared that the commune would be "the only place in the U.S. where Americans of African descent will be really free. . . we're going to have schools, a veterans' hospital, an old-age home, and many other buildings. We're hoping that many young black people from the so-called ghettos will come up to our community" (Lear 1967). Formerly incarcerated people figured prominently into her plan. According to members of the Think Tank, after her speech, Moore invited the Think Tank to come join her community when they got of prison. Larry and Hassan were excited about the prospect of one day having the opportunity to build power and develop their ideas outside of the prison environment.

The inaugural Community Day event successfully advanced the captives' vision of self-determination and community empowerment. With limited resources and experience they managed to elicit the financial and programmatic support of several community organizations

⁴⁸ Addis Ababa is the capital and the largest city in Ethiopia.

including MARC and The World Federation of African People. With the continued support of these organizations, the captive population would be able to make demands on the state. They would also have a path for recourse should their demands go ignored.

Community Day, which the Think Tank organized annually until 1976, is but one example of the organization's early efforts to build political power and forge alliances with outside groups and organizations. In 1973 they collaborated with Vassar College to develop a Green Haven Pre-Release Center, where captives nearing the end of their sentence were connected to resources that prepared them for their transition out of the brick and mortar prison. An undated letter from the Pre-Release Center staff describes the program as follows:

We are an inmate created, inmate operated service agency. We service men who are within ninety (90) days of their Parole Board, Maximum Expiration, and Conditional Release Dates. These men are assisted in terms of Employment, Housing, Educational Release (Vocational and Academic), Counseling, etc. We also take these men through our Ninety (90) day Cycle of Re-Socialization Orientation. This comprises a series of orientation class on Inflation, Job Market, Consumerism, Budgeting, Recidivism, Family Orientation and Re-Entry, and most other things that are imperative and relevant to an ex-offenders re-socialization.⁴⁹

As the above excerpt makes clear, the Think Tank's "Cycle of Re-Socialization" was critically focused on helping captives immerse themselves in what Larry calls, the "life struggles of the community." It was another way of realizing the captives' vision of community empowerment.

In 1973 the Think Tank also developed a work-release program that enabled soon-to-be released captives to leave Green Haven in order to maintain employment in preparation for life on the outside. They also developed the Family Reunion Program, which enabled captives to meet privately with loved ones in a trailer to strengthen and maintain familial ties. In the fall of 1974 they developed and implemented a program called Operation Green Haven where they

⁴⁹ "Letter from Pre-Release Center Staff." N.D. *NEW YORK STATE COALITION FOR CRIMINAL JUSTICE RECORDS*, 1971-1986. Series 7: Department of Correctional Services Series, 1972-83. Box 1. Pre-Release Center Brief. M. E. Grenander Department of Special Collections & Archives. State University of New York at Albany.

hosted “troubled” youth from Central Harlem at Green Haven and facilitated a conversations in order to inculcate them with “self-esteem and self-pride” and fostered their interest in engaging in broader struggles community empowerment and self-determination.



Figure 8: The “brain behind the bars,” the Think Tank Concept’s Logo, 1974.

The Think Tank’s activism did not go unnoticed. In 1974 The National Center for Voluntary Action cited the Think Tank with a national award for community service. In a few short years the group amassed a growing base of community support that included MARC, the World Federation of African People, the New York State Coalition on Criminal Justice, Vassar College as well as several influential power brokers in the state. Congressman Charles B. Rangel, Civil Rights Activist Percy Sutton, and Criminal Court Judge Bruce M. Wright were all supporters. During the Think Tank’s 1975 Community Day event, Judge Wright, who’s abolitionist tendencies earned him the moniker “Let Em Loose Bruce,” claimed that he and other judges “have been deeply affected by [the Think Tank’s] thinking” (Whitfield N.D.:5). It was not long before captives in different prisons began attempting to replicate the Think Tank’s model. Prisons administrators across the system began reaching out to the NY DOCCS central office in Albany in order to obtain guidance for how to proceed.

Sanctioned Inmate Organizations and the Politics of Containment

In December of 1972, Edward Elwin, the newly appointed head of the Program Services Division met with members of the Think Tank. Melvin Alston, the Think Tank’s Executive

Secretary took notes during the meeting. One of his observations reads, “[Elwin] feels that we can use the community very wisely - but we must be more specific in there [sic] individual part on short range goals first!”⁵⁰ This suggests that Elwin was supportive of the Think Tank’s desire to engage with outside communities. However, an antagonism was clearly present. Whereas captives were struggling to build an open-ended alliance with the community, Elwin pushed the Think Tank to specifically delineate the role of the community in meeting their long-range and short-range objectives. Alston sensed that Elwin and NY DOCCS were harboring a hidden agenda. In his meeting notes, he also asked, “are they trying to treat us special and get credit for effectively dealing with us [revolutionaries] in a positive manor?”

Sanctioned Inmate Organizations (SIOs) were NY DOCCS’ answer to the political threat posed by the Think Tank and their unprecedented success at fostering community support. They were an attempt to appease the captives’ desire to self-organize and forge alliances with outside groups without undermining prison own authority. The necessity of preventing the reemergence of the war of maneuver fueled NY DOCCS openness to experimentation, “the 1970’s were a kind of adolescence, with officials struggling to establish a balance. The ambivalence, confusion and turmoil of the times was felt throughout the Department-but nowhere, perhaps, more than at Green Haven” (NY DOCCS 2001a:15).

Between 1972 and 1975, several Sanctioned Inmate Organizations proliferated throughout the State prison system. They were initially governed through the issuance of piecemeal Administrative Bulletins but by 1975, the spread of SIOs to various facilities, compelled NY DOCCS to standardize their implementation of SIOs throughout the system. That year, Commissioner Benjamin Ward issued Directive 4760: “Inmate Group Activities and

⁵⁰ “Meeting with Com. Elwin.” N.D. Author’s personal collection.

Organizations” (Appendix J).⁵¹ According to the directive, the implementation of inmate organizations was guided by the department’s commitment to providing, “an ongoing system of constructive interaction between our services and the community.” Their use of “constructive” is key because it relies on NY DOCCS definition of what constitutes the proper prison subject.

The language of the directive implies that criminality stems from an internal defect that lies within the captive and asserts that SIOs are intended to play a key role in reconstituting the individual offender. The goals of SIOs included:

To improve the attitude and personality of the participants, stimulate growth in individual understanding and responsibility, fulfill basic needs for acceptance and belonging through association with the broader community, and provide opportunities for the individual to judge his own ability to function in a law abiding manner in the larger community setting in association with other groups or members of the same community.

To promote constructive utilization of leisure time through association and interaction with organized groups and/or individual members of the community, providing a positive adjunct in opportunities for new constructive social relationships through contact with community members, and create positive lasting involvements with community organizations of a constructive nature.

To provide socially acceptable outlets for release of tensions and to promote the development of inner controls to assist in the acceptance of respect for others’ rights.

... to encourage the self-help concept in preparing for release.⁵²

Directive 4760 classified SIOs into three categories: Interaction Groups, Religious Groups and Interest Groups. According to the directive, interest Groups, which included The Think Tank, “exist for people with shared interests leaning towards a common goal.” But said goal must be

⁵¹ “NY DOCCS Directive 4760: Inmate Group Activities and Organizations.” June 3, 1975. *NEW YORK STATE COALITION FOR CRIMINAL JUSTICE RECORDS*, 1971-1986. Series 7: Department of Correctional Services Series, 1972-83. Box 1. Bulletins & Directives, 1972-1980. M. E. Grenander Department of Special Collections & Archives. State University of New York at Albany.

⁵² Jaycees is an abbreviation for the Junior Chamber of Commerce, a national civic and leadership development training organization

“congruent with the overall goals and objectives of the correctional agency.” Examples of “congruent interests” included chess, hobbies and athletics; interests, “which should strengthen the ability to refrain from criminal activities upon release.” Unsurprisingly, there was no official organizational designation for captives interested in pursuing politics, prison reform, race & culture.

The fourteen-page document sets the guidelines for how SIOs will function in the future. It mandated prospective leaders of SIOs to submit a written mission statement and bylaws to the NY DOCCS central office in Albany for review. As the Deputy Commissioner of Program Services, Edwin Elwin was granted the authority to approve or deny any organization or organizational program throughout the system. The directive dictated that organizational approval would be subjected to 30-day review. It explicitly prohibited the formation of unsanctioned groups and organization, bans groups from soliciting or receiving outside donations, and expressly stated that similar organizations across facilities were to have no “functional relationship.” It also curtails the ability of groups to expand their memberships beyond the wall. According to the directive, membership was automatically terminated once a captive was released from prison. Crucially, membership in any SIO required that a captive be enrolled “in a regularly scheduled program prescribed for his benefit.” In other words, in order to participate in an SIO, captives now had to participate in NY DOCCS “prescription programming.”

NY DOCCS’ implementation of SIOs was an attempt to immobilize captives by reasserting control of the means of political-intellectual production. It appeased the captives’ desire to self-organize and forge alliances with outside groups, but did so in ways the strengthened the prison’s strategic position and its capacity to direct the movement. Using these

strategies the state was able to extend its counterinsurgency into the realm of ideas and exert significant force upon the intellectual formulation and development of the prison movement in the post-Attica conjuncture. Key to this form of control was expanding what Hassan calls “fascist bureaucracy” of NY DOCCS. Following the implementation of SIO’s program staff were instructed produce monthly reports on all organizational activities. Captives seeking to establish an SIO now had to fill out Form 3087, which required organizers to list their names, name their program, and list a contact person from a sponsoring organization outside the prison. Correspondence from Sanctioned Inmate Organizations had to take place on a special SIO correspondence form, which contained a detachable stub that prison authorities were required to file and include in their weekly reports about SIO activities. On the back of the stub were listed fourteen restrictions, which if violated, could cause a letter to be returned or an organization’s sanction to be revoked. Cause for return included: “[Letter] contained Criminal or Prison News”; “Begging for packages or money not allowed”; “correspondence with newspapers or newspaper employees not permitted”; “You did not stick to your subject.”⁵³ Additionally, Directive 4760 forbade SIOs from accepting donations and declares that all organizational funds will be stored in an “Inmate Occupational Therapy Fund Account” in which “facility administration will assume responsibility for accounting, control and auditing of all monies received.”

SIOs also enabled prison authorities to appropriate and co-opt the intellectual labor of the captive population and to rearticulate their ideas in ways that intensified prison authority. After operating relatively autonomously for nearly two decades, NY DOCCS cancelled the Think Tank’s Pre-Release Center Program in order to launch its own system-wide initiative. In the

⁵³ “This Letter is Returned to You Because.” Box 23. Folder 1. Department Of Corrections - General - Blank Forms 1970 – 1986. Gary McGivern and Marguerite Culp Papers. John Jay College of Criminal Justice Lloyd Sealy Library Special Collections.

spring 1992 issue of *DOCCS Today* (NY DOCCS 1992b), prison authorities celebrated the 20th anniversary of the founding of the Pre-Release Center under the headline, “Pre-Release Emphasizes Self-Help.” The article, authored by then Corrections Commissioner Thomas A. Coughlin, asserts, “what was initiated in 1972 by a small group of inmates at Green Haven prison who called themselves a Think Tank has developed into what we call the Pre-Release Program.” Captives continued to facilitate the program and this was a point of pride for Coughlin, who claimed the Pre-Release Center “demonstrated success in using available resources and enabling inmates to accept responsibility for themselves” (NY DOCCS 1992b:5).⁵⁴ Under NY DOCCS’ control, the program ceased to be elective and became compulsory. Though it had once contained seminars that articulated with the Think Tank’s vision for community empowerment and self-determination, NY DOCCS added Aggression Replacement Training (ART), Comprehensive Alcohol and Substance Abuse Treatment (CASAT) and other programming components that sought to inculcate captives with discourses of liberal individualism and personal responsibility.

Examples of the institutionalized theft of the Think Tank’s intellectual labor abound. Operation Green Haven, the Think Tank’s fledgling youth development program was co-opted by the New Jersey’s State Prison System, where it was turned into the New Jersey Scared Straight program.⁵⁵ The Think Tank’s Family Reunion Program was expanded and launched throughout the New York State prison system because prison administrators find what they call “conjugal visits” useful for inducing compliant behavior. Think Tank members were aware that

⁵⁴ Interestingly, this publication, which is addressed to corrections community of New York State, dispenses with the pretense of the language of “corrections” and refers to Green Haven as a prison.

⁵⁵ Scared Straight is a program that sends at-risk youth into prisons, where they engage in conversations with imprisoned people in order to deter them from engaging in criminalized acts. A meta-analysis by Petrosino, et al. (2002) argues that participation in these programs increases the likelihood that youth will be arrested.

NY DOCCS was using them as an engine for penal innovation, but they also recognized that as long as they remained captives of the state, they would not have the autonomy to develop and implement their ideas as they saw fit. They therefore continued to pursue their strategy of diplomacy and program development despite the irreconcilable power imbalance that increasingly became evident.

State Retrenchment and the Non-Traditional Approach to Criminal and Social Justice

The transition into the 1980s came with several important contextual and strategic shifts for the Think Tank, marking the end of what I have been calling the post-Attica conjuncture. Green Haven was especially tumultuous during this period. On May 5, 1978 a captive named Albert Victory escaped by bribing guards. Just over two years later, Herminio Espinal and Antonio Capoul simply walked out of the visiting room and escaped into Stormville. Then, on July 18, 1980 William Cody escaped by running through Green Haven's front gate. These escapes were an embarrassment to prison authorities and prompted a state-appointed investigative body to publish *Corruption and Abuses in the Correctional System: The Green Haven Correctional Facility*, which castigated Green Haven administrators for "corruption and malfeasance" (Temporary Commission of Investigation of The State of New York 1981:1). The administration was found to be complicit in facilitating extortion, sex trafficking and trade in drugs and alcohol. Several guards were eventually charged with crimes but high-level administrators were not.

The report was published in May of 1981. Just days later, a female guard named Donna Payant, was strangled to death by a captive while she was on duty at Green Haven.⁵⁶ The story made national headlines, as Payant was reportedly the nation's first female prison guard to be killed while on duty. Payant's death, coupled with the corruption report and the escapes meant

⁵⁶ Women had been serving as guards within men's prisons in New York State since 1976.

that the general tenor at Green Haven changed. After 1981, administrators subjected potential SIOs and volunteers to greater scrutiny, they reduced programs, and they curtailed the frequency and scope of community events, and they reigned in the permissive and experimental atmosphere that was allowed to flourish immediately following the war of maneuver.

On a broader scale, the captive population had nearly doubled since Attica, rising from 12,525 in 1971 to 25,490 in 1981 (NY DOCCS 2004). Racial disparities in imprisonment had also worsened. In 1980, 54 percent of captives were listed as Black and 20 percent were listed as Hispanic (Christianson 1982; NY DOCCS 1981). Prison authorities had constructed or renovated eighteen new prisons (see Figure 9) and had enacted their vision of community empowerment by locating multiple smaller, facilities closer to urban centers (NY DOCCS 1981). Moreover, they integrated these new community-based facilities into a system of “movement flow” (see Figure 10), in which captives were progressively transferred “from rural, high security facilities to lower security facilities in or near urban areas” (NY DOCCS 1981:30). Movement flow sought to incentivize “good behavior” on a mass basis.

Despite aggressive expansion, the glut of new prisons did not keep pace with the explosive criminalization and capture occurring on city streets in the name of the U.S. war on drugs. By 1983, the system had a total captive population of 28,499 and was operating at 112.9 percent capacity (NY DOCCS 1992a).

Jun. 1971 **Albion** Ceased operation as a result of legislative action on the Governor's budget. Restored to operation November, 1972 as a community-based correctional facility.

Aug. 1972 **Eastern** Opened as maximum security correctional facility. Former DOCS facility that had been used for confinement of New York City inmates effective September 23, 1970.

Nov. 1972 **Rochester** Opened as a community-based correctional facility, formerly operated by Division for Youth.

Jan. 1974 **Taconic** Opened as minimum security facility for males. Formerly a DOCS reformatory for female offenders.

Jul. 1974 **Bayview** Opened as a community-based correctional facility, acquired from the Narcotic Addiction Control Commission (NACC)*. Originally the Seamans YMCA.

Aug. 1974 **Edgecombe** Opened as a community-based correctional facility, acquired from NACC. Originally the Mother Caprini Hospital, a nursing home.

Aug. 1974 **Parkside** Opened as a community-based correctional facility, acquired from NACC.

Aug. 1974 **Woodbourne** Opened as a medium security correctional facility. Although acquired from NACC, Woodbourne had been a DOCS facility until October 31, 1967.

Nov. 1975 **Fulton** Opened as a community-based correctional facility, acquired from NACC.

May 1976 **Arthur Kill** Opened as a medium security correctional facility, acquired from NACC.

Jul. 1976 **Lincoln** Opened as a community-based correctional facility. A former elementary school renovated for correctional use.

Aug. 1976 **Queensboro** Opened as a medium security correctional facility, acquired from NACC. Originally an industrial building used in fabrication of metal products.

Sep. 1976 **Camp Adirondack** Originally a correctional camp program on the grounds of the Clinton Correctional Facility. Starting November, 1972, it moved at the Raybrook site acquired from NACC in September, 1976. Originally a tuberculosis (TB) hospital.

Oct. 1976 **Mt. McGregor** Opened as a minimum security, camp type correctional facility. Acquired from Dept. of Mental Hygiene. Originally a TB hospital.

Oct. 1976 **Hudson** Opened as a minimum security correctional facility acquired from Division for Youth. Originally at state training school for girls of the Dept. of Social Welfare.

Dec. 1976 **Otisville** Opened as a medium security correctional facility acquired from NACC. Formerly operated by Division for Youth and originally a state training school for boys of the Dept. of Social Welfare.

Feb. 1977 **Mid-Orange** Opened as a medium security correctional facility acquired from Div. for Youth. Originally state training school for boys of the Dept. of Social Welfare.

Feb. 1979 **Downstate** New maximum security correctional facility constructed for DOCS.

Figure 9: Correctional Facility Changes: 1971-1979, "New York State Correctional Services Master Plan, 1980-1985"

MOVEMENT FLOW

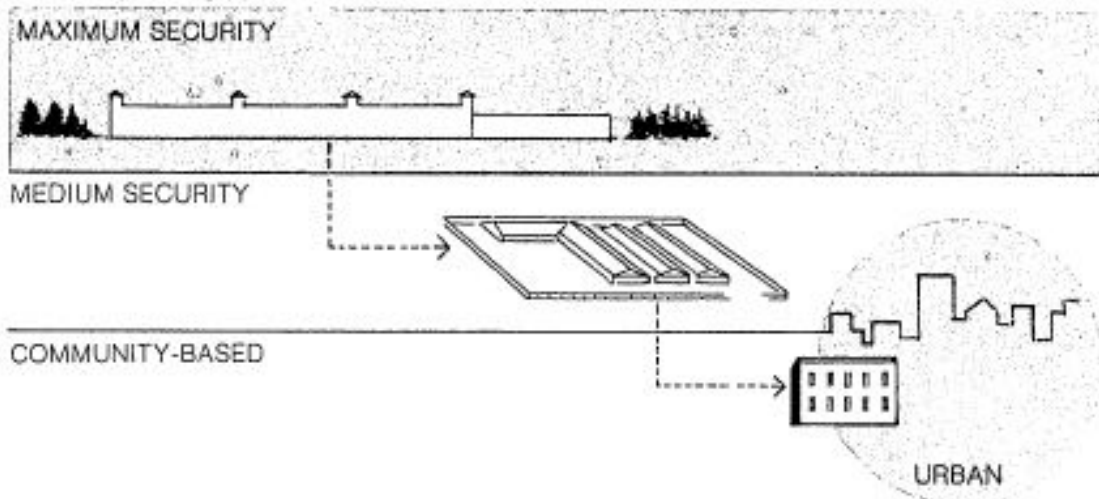


Figure 10: Movement Flow, "New York State Correctional Services Master Plan, 1980-1985"

Prison overcrowding frustrated NY DOCCS' post-Attica experiment with innovation. In a sworn affidavit, NY DOCCS Commissioner Thomas A. Coughlin III said:

The department is no longer engaged in rehabilitation and programming efforts but rather it is forced to warehouse people and concentrate only on finding the next cell. As of December 4, 1981, the inmate population of 25,490 represents 112 percent of the system's capacity. . . [This} may lead to the most severe consequences.⁵⁷

Prison authorities began to cut programs and reduce the number of special events taking place within prison walls. According to Coughlin, this reduction in programs occurred because there was not enough physical space for program activities, as several areas slated for programming had been repurposed to house the swelling population of captives. Captives experienced this reduction of programs as punishment. In an essay entitled "Prison Censorship," published in the May 1979 issue of *Green Haven Monthly*, a captive named A.F. Widziewicz, Jr. writes:

It is my personal opinion, based upon twelve years behind prison walls, that prison administrators are pursuing a dangerous course when they start taking away programs and privileges that were started after Attica –to insure that other similar situations would never happen again. . . Slowly but ever surely, one step at a time, I can see the gains for being treated humanely and decently being eroded. Nothing on a grand scale. Just one small thing here; another small thing there restricting this or that; give one small thing, but taking away a big one. The atmosphere of prison is again beginning to reek of that stale, stagnant air of oppression (Widziewicz 1979:13).

During this period of retrenchment, the Think Tank moved away from its previous focus on program development and began producing research intended to guide community activism, legislation, and NY DOCCS policy. Following their counterinsurgent script, NY DOCCS' response to prison overcrowding was to aggressively build more prisons. In his proposed state budget for the 1982-1983 fiscal year, New York Governor Hugh Carey requested a \$322.2 million dollar capital budget for NY DOCCS, with at least 241.4 million of this amount slated

⁵⁷ Statement of Thomas A. Coughlin III. (1993) Affidavit 75 Civ. 3027. Box 29. Mario Cuomo Papers. New York State Archives.

for prison expansion (N.A. 1982). The Think Tank sought to counter this expansionist impulse by advancing a theory and methodology they called the “Non-Traditional Approach to Criminal and Social Justice” (NTA).

The NTA advanced the notion that criminal justice should ultimately be subsumed under a larger commitment to social justice. By using the language of social justice, the Think Tank sought to demonstrate that incarceration is not a viable solution to crime. They sought to raise awareness about the extent to which race, class, culture and geography played important roles in the production of crime and imprisonment. They called their approach “non-traditional,” in order to unequivocally distinguish their ideas from NY DOCCS’ ‘traditional’ focus on prison expansion and the maintenance of carceral power. This conceptual distinction between the Think Tank and NY DOCCS became necessary after NY DOCCS had effectively appropriated several Think Tank programs during the 1970s.

Eddie Ellis took on a more prominent role in the organization during the 1980s and he proved to be a valuable addition to the Think Tank. Larry had been theorizing what he called, the “direct relationship” between the prison and the community since his initial formulation of the Think Tank in 1972. As I have already shown, Larry inherited this formulation from the rebellions of 1970-1971. However, his elaboration of the relationship remained an abstract and anecdotal reference to the notion that a large proportion of the people confined in NY State prisons were coming from particular Black and Latino neighborhoods. Captives knew this from experience, as they often found themselves imprisoned alongside many of the people they knew in the street. With greater input from Eddie, the Think Tank was able to formalize this social fact and support it with evidence.

Eddie had the idea of cross-referencing New York state census data with NY DOCCS' population data in order to pinpoint the specific neighborhoods that supplied the growth in the state's prison population. The Think Tank found that 85% of the people confined in the state prison system came from just seven primarily Black and Latino neighborhoods in New York City: Harlem and Lower East Side in Manhattan; the South Bronx; Bedford-Stuyvesant, Brownsville and East New York in Brooklyn; and South Jamaica in Queens. Furthermore, the seven neighborhoods were inclusive of seventeen assembly districts.⁵⁸ Because most of these captives would eventually return to those same seven neighborhoods, the Think Tank was now able to authoritatively elaborate the specific nature of the direct relationship, or what Eddie would later call, the "symbiotic relationship" between the prison and the community.

The problem, as they conceptualized it, was the systematic disinvestment and abandonment of the seven neighborhoods and the simultaneous overinvestment and overreliance on prisons. This situation revealed that the lives of captives and the "free" populations that lived in those seven neighborhoods were inextricably linked.

Most people in prison have one thing on their mind, and that is getting out, going home, returning to the community from which they came, many of us, most of us come from NYC. And when we look at our communities, when we look at the places to which we must return, we begin to realize that these communities have become so devastated with crime and drugs and violence, and mis-education, and a whole number of other things that leave precious little for us to return to. We understand that our futures are tied up with those communities and that if we don't begin to do something now, while we're here in prison, we won't have anywhere to go when we leave here.⁵⁹

On the basis of their research the Think Tank proposed a public policy reform that would shift funds from the State's capital prison budget and re-appropriate them for education and economic development programs in those seven neighborhoods (Clines 1992; Ellis 1996).

⁵⁸ The assembly districts were: 29, 32,33,40,42,43,55,57,68,70,71,73,74,76,78 and 82.

⁵⁹ "Green Haven Seminar Part 2." Eddie Ellis. 1990. Author's Personal Collection.

Beginning in 1990, The Think Tank, with support from Dr. Alice Green, a long-time prison abolitionist and the founder of the Center for Law and Justice, organized what would turn out to be nine annual Legislative Conferences in which State Legislators, prison administrators, community members and “socially conscious prisoners” came together at Green Haven in order to dialog the Think Tank’s research, analysis and policy proposals. In the written invitations that Think Tank members sent out to legislators, they cited their own research in order to present themselves as part of a legitimate political constituency. During these meetings, Think Tank members and other incarcerated intellectuals would present their ideas and try to influence criminal justice policy in ways that were advantageous to them. Many of them had unsuccessfully sat in front of parole boards multiple times, thus, one of their chief priorities was to enact legislative reform of New York State’s parole laws.

The NTA turned out to be one of the Think Tank’s most enduring conceptual legacies. Its basic premise has influenced academics, policy makers and activists. In 1992, the year of Ellis’ release, *the New York Times* produced a story on the research after which the study circulated widely, both within and beyond New York State prisons (Clines 1992). The statistic that 85% of incarcerated people in New York State came from just seven neighborhoods was used as a key talking point in New York State’s prison moratorium movement, which gained steam in the early 2000s. Its spatial analysis of prison policy anticipated the growth of geographic inquiries into U.S. confinement that have appeared in the 21st century (Bonds 2009; Gilmore 2002; Martin and Mitchelson 2009). A footnote in sociologist Loic Waquant’s “Deadly Symbiosis” (2001:126) reveals that the title and a key premise of this influential article builds upon knowledge created by the Think Tank who, “sensed at ground level what prison activist and scholar Eddie Ellis calls the ‘relation of symbiosis’ emerging between the ghetto and the carceral system, even as

government officials and social scientists were oblivious or indifferent to it.” The “Direct relationship” foreshadowed the criminological problem of “prisoner reentry” (Travis, et al. 2001) by at least a decade. Third, the Think Tank’s public policy proposal foreshadowed “justice reinvestment,” an ascendant prison reform paradigm that has received praise for reducing state prison populations and generating cost savings in the billions of dollars (La Vigne, et al. 2014). Finally, the accomplishments and notoriety achieved by the Think Tank encouraged other captives in the New York Prison System to form similar groups, establishing an ongoing social movement within New York State Prisons.

Getting Out

As I settled into years behind bars, I created a life that had meaning. I became a scholar. I started classes and programs, including those for men sentenced to life without the possibility of parole. I encouraged other incarcerated men to study their situation in the context of racism and this nation’s history; it is no accident that the overwhelming majority of people in New York prisons are black and Latino and come from only a handful of poor neighborhoods in New York City. I organized the men to work to change prison conditions from inside and to stand up against disrespectful treatment at the hands of guards and corrections administrators. I organized them to own their power. Over time, this push for socially conscious empowerment became a movement that spread from one correctional facility to another in the state (White N.D.:10-1).

Larry White was released from the brick and mortar prison in 2007, on his fourth parole attempt. At the time, he was seventy-three years old, the father of a child he had not seen in decades and two grandchildren he had never met. Transitioning to life on the streets was difficult. In the prison system he had influence and purpose, but in the streets, he struggled to connect with people and found the pace of daily life disorienting and exhausting.

Though his activism within and against the prison continues to fill him with a sense of pride and accomplishment, it is undeniable that the prison system grew more expansive and more sophisticated during the period of Larry’s activism. NY DOCCS security staff and civilian

employees have increased by 45 percent and 86 percent respectively since 1971 (NY DOCCS 2001b). The system currently operates a diversified portfolio of fifty-four prisons that includes multiple minimum, medium, maximum and super-maximum security facilities. Sanctioned Inmate Organizations reportedly exist in all NY DOCCS prisons and all captives state captives are subjected to compulsory “programming,” the successful completion of which is routinely used to determine parole eligibility.

Forty-five years after Attica and the disappearance of the war of maneuver, it is difficult to argue that the state is not winning the carceral war of position. Elders who participated in the rebellions continue to pass away. Others are still inside, but are effectively isolated from the increasingly youthful population. As time continues to elapse, the memory of Attica and the knowledge it produced has begun to fade from the captive population. However, as I will show in the following chapter, the state has not yet managed to completely erase the revolutionary consciousness of Attica. Formations of activist intellectuals continue to organize within and against the prison under the most unfavorable of circumstances. Larry continues to support these groups in any way he can:

When I walked out of prison, I told the men I left behind that I would not forget them. I told them that I’d be back. And I have gone back, with programs, ideas, guidance, and support. I would feel lost if I couldn’t be there for them, in one way or another. But as I head back to my new community at the end of a prison visit, I thank God I made it out alive (White N.D.:14).

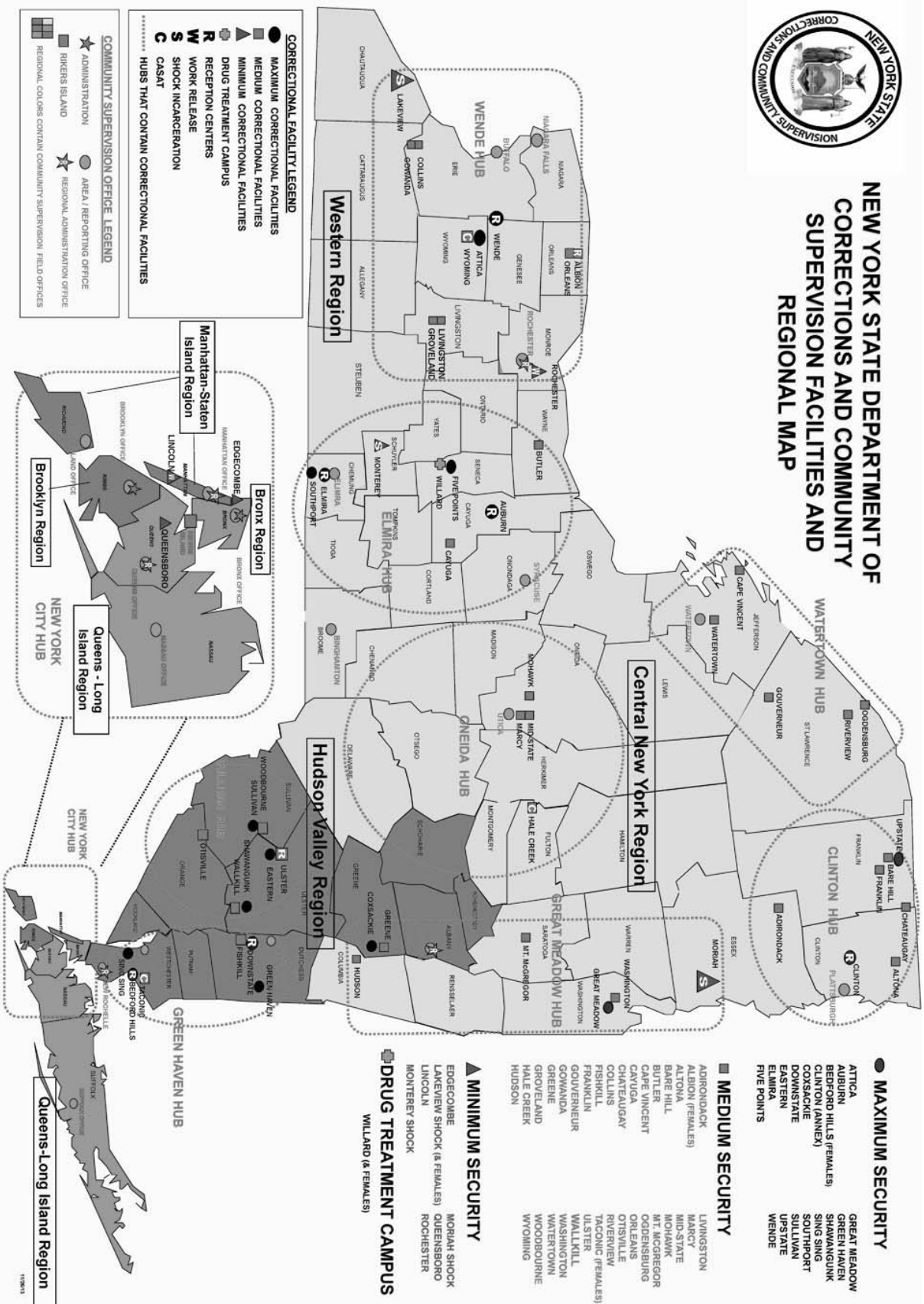


Figure 11: NY DOCCS Facilities and Regional Map.

Chapter 5

Fugitive Masculinity: Confrontation & Compliance in New York State Prisons

“When you the head of a group, you're the father of that group. And it's your responsibility to take care of the people in your group. You make sure they do things that are beneficial to them and try to get them out of the joint as soon as possible.”

- Larry White⁶⁰

This chapter elaborates the theory and practice of The Black Consciousness Coalition (BCC), a collective of imprisoned Black men currently struggling to preserve their humanity, dignity and masculinity within and against dehumanization and captivity in a New York State Prison.⁶¹ In the introduction I reorient and resituate our understanding of the prison as a fundamentally patriarchal institution. In Section Two: “Methodological Notes,” I introduce the BCC and make some brief methodological remarks. In Section Three, “Offender Rehabilitation or Strategic Compliance?” I present some of the BCC’s writing, which appears to affirm and embrace the prison as a productive site of rehabilitation. However, I demonstrate that this discourse is a strategic response to institutional strictures against more critical forms of political speech. In Section Four, “The Mechanics of Gendered Dehumanization,” I elaborate the BCC’s theorization and critique of the prison. I show that the group conceptualizes the prison as a contradiction that claims to rehabilitate, but is in fact an instrument of racist warfare that subjects its captives to a regime of gendered dehumanization. In Section Five, “Fugitive Masculinity,” I

⁶⁰ L. White interview with author, November 11, 2015.

⁶¹ To protect the anonymity of my interlocutors I have withheld the name of the prison and have used pseudonyms for the BCC and its members.

explore the ways in which gender mediates the politics of organizing within a sanctioned institutional context. I argue that many of the BCC's current political practices - forming solidarities across difference, creating spaces of reprieve from patriarchal power, analyzing shared experience, engaging in self-critique and self-care - are legible through a black feminist analysis (Collins 2002; Davis 1972a; hooks 1992; Lorde 1984). I close by asserting that the BCC have begun to refashion black masculinity into a political weapon against state captivity by improvising many of the strategies associated with Black feminist praxis.

This chapter pays particular attention to how notions of manhood mediate the experience of imprisonment and struggle against prison authority. It is critical that we recognize the prison as not only a racist institution, but also a fundamentally patriarchal institution. It is therefore, a materialization of what Black queer feminist philosopher, Audre Lorde (1984) calls "racist patriarchy." I will go into greater detail about the ways in which the prison operates as a patriarchal institution that subjects assumptively male captives to multiple levels of psychological, social and political emasculation in subsequent sections of this chapter, but at the outset I will briefly return Attica in order to situate the BCC within a tradition of Black (male) insurgency. In Chapter Two, I used the following quote from Frank "Big Black" Smith in order to describe elaborate how incarcerated men feel themselves being emptied of that which makes them human.

Once you are incarcerated, in the Atticas such as this one, they take it upon themselves, meaning the administration, that you no longer think or act or have the right as a human being to express your political beliefs, to be able to talk about and do the things which is in yourself to do. I don't think no more for myself. All my thoughts is brought about through him. If I don't think the way he wants me to think, then I am going against the system (Interview with Frank Smith Attica Defense Committee 1972b).

What Big Black calls “going against the system” is what prison authorities call, “non-compliance,” a gendered form of control that will be analyzed in the following section. For now, it is important to recognize that Big Black refers to prison authority using a *singular masculine pronoun*. The prison is a man and prison authority operates as patriarchal authority (Sabo, et al. 2001). Prisons are constituted by cultures of dominance. They are rigidly hierarchical spaces that have clearly defined layers of power. These layers of power are maintained through violence - both the structured violence of prolonged isolation and deprivation as well as the violence of physical brutality. This is why Richard X. Clark, said of Attica, “everything the authorities did, every policy they made, seemed designed to take away pieces of your manhood” (Clark and Levitt 1973:47). Clark’s gendered understanding of imprisonment is critical. While incarcerated people along the spectrum of sex/gender identification describe the prison as dehumanizing, imprisoned men invariably describe the prison not only as dehumanizing, but also emasculating.

It is therefore, not surprising that captive men often narrate their struggle to negate institutional dehumanization as a struggle to *reclaim manhood*. This gendered understanding of abolitionist struggle is evident throughout the archive of prison revolt. During the 1970 jail rebellion at Long Island City, Victor Martinez, the captives’ elected spokesman began his statement by proclaiming, “The men of this institution for the first time, acted like men and demanded their rights: basic rights of dignity, respect and justice” (AP Archive 1970). Similarly, the oft-cited preamble to the Attica Brothers’ demands, read by L.D. Barkley, began, “WE are MEN! We are not beasts and do not intend to be beaten and driven as such!” (Wicker 1975: Appendix E). The link between prison rebellion and manhood is also evident in the ways that activists in the “free world” interpreted the significance of the Attica rebellion. For instance, in

1973 the Institute of the Black World celebrated the rebellion as the apogee of black political masculinity:

Black men who white society has consigned to its deepest dungeons have, instead of succumbing, rediscovered themselves and re-educated themselves to rise up and strike back at the system which intended that they should never survive at all – and certainly not as men (IBW 1973:6).

As I have previously shown, beginning on September 13, 1971, the state launched a multifaceted counterinsurgency against the Attica rebellion, which included the deployment of brutal violence and the institutionalization of both “soft” and “hard” reforms. Within this gendered context we see that the counterinsurgency constituted the reassertion of the state’s patriarchal dominance. If we extend Big Black’s metaphor and think about prison authority as a patriarchal figure, a man, then the brutal suppression of the Attica rebellion was that man getting his gun and reasserting that *he*, not the captive, was the man of the house. In order to teach that lesson to the captives and to the world, he was willing to viciously kill, not only the captives but also his own kin. The ensuing torture, deprivation and brutality, much of which was explicitly racial and sexual in nature, was designed to emasculate the rebels, reestablish patriarchal dominance, and to return the captives to the Fanonian zone of nonbeing.

As I have previously shown, the institutionalization of Sanctioned Inmate Organizations (SIOs) was an attempt to control and co-opt the political and intellectual labor circulating within the prison in the post-Attica conjuncture. It was an attempt to diminish the unsanctioned influence, authority and power of the rebellion and to replace it with the state-sanctioned authority of prison administrators and state bureaucracy.

In the ensuing years, NY DOCCS’ efforts to constrict the level of political consciousness within the captive population continued. In 1988, NY DOCCS began allowing captives at certain prisons to purchase and possess televisions in their cells. The public interpreted this new

“privilege” as evidence that the prison was ‘going soft’ on captives,’ yet as we have already seen, “privileges” function in the prison environment as a ‘double edged sword.’ They often arrive as ‘victories’ for the captive population, but quickly reveal themselves to be instruments of greater administrative control. The introduction of televisions gave prison authorities a new means of inducing compliance, as the privilege could be granted or withdrawn according to administrative discretion. A *DOCS Today* article about the new policy paternalistically states, “incorrigible criminals are vulnerable to the same disciplinary philosophy as a recalcitrant child.” The article continues, “inmates must spend 24 hours in each day, too, same as everybody else. They can spend it plotting their next flirtation with trouble or they can watch TV” (NY DOCCS 1988:3).

In the mid 1980s NY DOCCS began implementing new guidelines for “population management,” which included using information technology to help make calculated decisions about how to more effectively manage the total captive population. This new technique gave prison administrators the ability transfer and distribute the captive population across its various facilities according to various combinations of attributes in the administration’s “inmate profiles” (NY DOCCS 1981). According to Russell “Maroon” Shoatz, a captive activist-intellectual in Pennsylvania, prison authorities strategically transfer captives to different prisons according to their age in order to stem the development of revolutionary consciousness. Shoatz argues that “separating and transferring the most sophisticated thinkers among the prisoners to other prisons [and] replacing them with a new, younger, less savvy group of prisoners” is a common practice among prison administrators (Shoatz and Guenther 2015:73). While I have no documentary evidence suggesting that prison authorities in New York State deploy such tactics, contemporary activist-intellectuals frequently cite a generalized lack of knowledge and memory regarding

Attica and the difficulty politicizing the continued influx of younger captives as major barrier to continued self-organization.

According to NY DOCCS' 2014 "Under Custody Report," 30 percent of the total adult captive population was under the age of thirty years old and roughly 60 percent was younger than forty years old in 2013. This means that in 2013, the majority of imprisoned people in New York State were not alive when Attica happened. Their only knowledge of the event comes from what has been passed down from elders, yet contemporary prison protocols have been specifically designed to limit their contact with those who hold the knowledge. Under these conditions, leadership, mentorship and popular education are paramount. I will argue that despite their intended function as a means of domination, contemporary Sanctioned Inmate Organizations provide powerful opportunities to keep the revolutionary consciousness of Attica alive.

Methodological Notes

The Black Consciousness Coalition (BCC) is one of more than two-hundred contemporary Sanctioned Inmate Organizations within the New York State Prison System. Like all contemporary SIOs, the BCC has a three-tier organizational structure. Its Executive Board consists of six captive men who manage organizational governance and facilitate communication between the BCC and a designated Staff Advisor, an NY DOCCS employee. The membership tier is comprised of roughly one hundred captive men, each of whom pay annual dues of \$4.00. These funds, which are managed by the Staff Advisor, constitute the bulk of the BCC's operating budget. The subcommittee tier develops and organizes programs and ad hoc initiatives for the captive population. These events include: Black studies classes and annual celebrations of

Kwanzaa, Martin Luther King Day and Black Solidarity Day. Finally, the group produces newsletters and brochures, which they circulate within and beyond the prison.

This chapter draws heavily from my written correspondence with Absolute, a member of the BCC's Executive Board. Since March of 2014 Absolute and I have exchanged more than 40 letters. His letters to me included insightful theorizations of the prison policy and practice; sociological and psychological assessments of the captive and guard populations; the historical function of the prison; descriptions of the different cultures across penal institutions;⁶² ideas for future BCC programs, workshops and initiatives; and the effects of the prison on the subjectivity of its captives.

Absolute has taken some college classes while in prison, but he is largely an autodidact. He is brilliant and insightful, but he is not exceptional. He is just one of the innumerable "organic intellectuals" (Gramsci 2010) who are imprisoned in the United States and beyond. Yet Absolute has made a conscious decision to advance what he calls the "prison movement." His trajectory as a captive activist-intellectual was profoundly shaped by his participation in popular education sessions and by his contact with Larry White and Eddie Ellis:

I have been blessed to participate in Larry White's Liberation Study Group while at Attica and attend a lecture by Eddie Ellis after he was put on work release in the early 1990s. Exposure to both of those GIANTS at the beginning of my bid shaped how I was going to do my time.⁶³

From the beginning of our correspondence, Absolute made it clear that he expected our exchange to be mutual:

I understand that you want to know about me, however, the vibe feels a little strained when I just start talking about myself. It has a personal ad type of energy.

⁶² It is common for people who have been incarcerated for a number of years to spend time in several different prisons because prison authorities routinely transfer captives to different institutions within the system.

⁶³ Unless otherwise noted, all quotes from Absolute are taken from our personal correspondence, which occurred between March 2014 and March 2015.

Does that make sense? If you don't mind I'll just cover ground naturally. After several letters we should know each other well.

In an effort to reciprocate the significant time and effort Absolute invested in his letters to me, I tried to consistently respond with letters that were equally thoughtful and personal. I wrote about my family life and about my personal, political and professional trials and tribulations, which of course felt frivolous compared what he and the BCC are facing. I regularly sent copied book chapters, articles, and post cards with beautiful images on them. I also tried to share the skills, knowledge and theoretical insights I was developing during my anthropological training and research. At times I interrogated and challenged his ideas and assumptions. Conversely, on several occasions, Absolute critiqued my work, filling the gaps in my historical knowledge and pointing out erroneous theoretical assertions. In short, Absolute and I have become genuine interlocutors.

Prisons in the U.S. operate as separate political territories, largely shielded from public scrutiny under the guise of preserving public safety. Accessibility is a major hurdle that has limited the number of empirical studies in prison environments (Rhodes 2001; Waldram 2009). Assuming that one does gain access, research with a captive population poses a number of moral, ethical, and political challenges (Bhavnani and Davis 2000; Fine and Torre 2006; Waldram 1998). Can incarcerated people grant consent? Can their privacy be guaranteed? Will they be stigmatized or "marked" (by prison authorities or other captives) as a consequence of their participation in the research? These are just some of the questions that have shaped my methodology. This is an experimental and negotiated process and I continue to follow Absolute's lead.

Gaining approval from University-based Institutional Review Boards is also difficult and fraught with contradiction. For instance, the IRB of the University of North Carolina at Chapel

Hill, my institutional affiliation, dictates that those intending to perform observational studies within a prison setting need to first obtain expressed written permission from the Superintendent of the particular prison. On the other hand NY DOCCS Directive 0403, states that access by researchers to NY DOCCS facilities is contingent upon whether or not the proposed study “promises to have some value for the Department.”⁶⁴ These stipulations structurally position the prison researcher in a collaborative relationship with prison authorities. I find this position objectionable, especially since I am interested in exploring possibilities for collaborating with the BCC, not prison authorities.

Despite these methodological reservations, I asked Absolute if he thought I should pursue observational access to the prison in order to document a specific BCC event. His reply was both enlightening and instructive:

Your idea of ‘participation’ in our event has raised concerns. Oftentimes, when a civilian desires to document events in an institution the Superintendent’s political and social concerns are piqued. It’s not you, it’s them. You are simply being honest and proactive. However, most staffers are of the opinion that we are undeserving of a voice and there is a concerted effort to marginalize such. Particularly here, since this is a “terminal” facility, which is to say, that many will die here before their bids expire. When viewed in that space, the primary goal of administrators is to confine our activities behind these bars, fences, and walls.

Absolute’s candid response demonstrates that he had already formed a conceptually sophisticated analysis of how the prison functions, both at the level of his specific carceral site and as a general social form. His response illuminates an epistemic “blind spot” for the prospective ethnography of prison. Even if I decided to conduct observational research, my capacity to access prison experience and to describe the prison world would be mitigated by the fact I would inhabit the prison voluntarily. After all, as Absolute makes clear, a defining feature of imprisonment is the incapacitation of captives against their will.

⁶⁴ New York Department of Corrections and Community Supervision. “Directive 0403: Research Studies and Surveys.” July 26, 2011.

My use of correspondence highlights the BCC's "situated knowledge" (Haraway 1988) and intentionally decenters the "facts" produced by prison authority and state bureaucracy. It contributes to a growing body of research that examines the writing of imprisoned intellectuals as a distinctive, yet internally diverse body of theorization, not only about the prison, but also about race, the state, patriarchy and resistance (Berger 2014; Davis 1998c; Fort 2014; Hames-Garcia 2004; James 2003; James 2005; Rodríguez 2006). My approach to the BCC's knowledge creation recognizes that, like anthropologists, activists engage in analytic practices, careful observation and detailed note taking (Casas-Cortés, et al. 2013:212).

Furthermore, correspondence is particularly well-suited for my exploration of the gendered dimensions of state captivity. "Prison is an ultramasculine world where nobody talks about masculinity" (Sabo, et al. 2001:3). Correspondence gave Absolute time to consider my questions, to carefully formulate responses, to reply with some semblance of privacy and the agency to decide whether or not to respond at all. As Harris (2008) argues, correspondence opens up "intensely private and personal areas of the social world that may prove to be more accessible through this method than via interviewing techniques."

Our correspondence was of course subjected to protocols of prison surveillance and review. For this reason, I followed Absolute's lead regarding the types of discussions he felt comfortable having through the medium. We also made sure that our correspondence did not violate any prison regulations. After our initial exchanges in March of 2014, it soon became clear that multiple BCC members were reading my letters and that the group was discussing our correspondence collectively. Absolute's responses would often include quotes of from other BCC members or references to "intense conversations" that he and the "brothers" had had. Thus, to some extent, the following analysis is a collective analysis. Our correspondence is

supplemented by a traditional, semi-structured interview that I conducted with Primo, a former member of the BCC Executive Board. Primo is a former member of the Think Tank and was mentored by Larry White and Eddie Ellis in the late 1980s and early 1990s. I interviewed him after he made parole in March of 2015.

Offender Rehabilitation or Strategic Compliance?

This section demonstrates that the implementation of Sanctioned Inmate Organizations into the landscape of prison organizing in the post-Attica conjuncture was not simply a negative or “deductive” act designed to prohibit objectionable political language and activity from transpiring within the walls. It was also, what Foucault (1979) calls a “biopolitical” act. By this I mean that Sanctioned Inmate Organizations effectively promote the circulation of particular discourses within the prison, especially those that aggrandize prison authority and pathologize individual behavior. Under the contemporary SIO regime, the Marxist and decolonial language employed by captives during the war of maneuver, has been supplanted by extended recitations of undischargable guilt and administrative rehabilitation. For example:

To our fractured communities: Words could never express the remorse we feel when we get a glimpse of how our poor choices have stained every aspect of society, highlighting the destruction of human potential and lives. We extend our services to you, as an olive branch, accompanied with ‘infinite apologies,’ as a redemptive gesture that represents the first step toward a new beginning. Our lives, like everyone else’s, are a triad consisting of the past, the present and the future.

We accept *full* responsibility for our choices to participate in community shattering criminal acts that continue to fuel the cycle of violence and crime, subsequently, leaving single mothers and fatherless children to pick up and put together the pieces in its wake.

[We seek to address the problem of mass incarceration by employing the following tactics]: 1. Self-improvement as the basis of community development; 2. Identifying “teachable moments” that give us an opportunity to share our life lessons with others on the inside as well as with those on the outside; and 3.

Connecting with outside organizations so we can become a part of the solution on a broader scale.⁶⁵

The above excerpts are taken from collectively authored documents that the BCC circulate within the prison (to captives and administrators), and beyond (to organizations located in civil society). On the surface, the BCC's message appears to reflect and reenact the archaic and thoroughly critiqued rehabilitative ideal. Briefly, rehabilitation is based upon an Enlightenment-era supposition that human beings can be perfected through the application of reason. For advocates of the early modern prison, the target of reform, as famously argued by Foucault (1977:12), was not the captive body, but the captive "soul." Eighteenth century prison reformers such as Benjamin Rush, Cesare di Beccaria, Benjamin Franklin imagined imprisonment as an instrument for transforming disgraced criminal malefactors into redeemed citizen-subjects through penitent reflection, hard labor, deprivation and solitude (Smith 2009).

As they juxtapose pained expressions such as 'remorse,' (self)'blame,' 'deterioration,' and 'shame,' with terms such as 'cultivate,' 'redemptive,' 'self-improvement' and 'teachable moments,' the BCC discursively performs the teleology of mortification, atonement and rebirth. Their reference to "stain[ing] every aspect of society" echoes, in classic fashion, the notion that criminality is an illness, which if not effectively sequestered and treated, will spread and afflict an otherwise governable population (Tocqueville and de Beaumont 1964). While particular methods have fallen in and out of fashion over the centuries, the repertoire of penal rehabilitation has included enforced solitude, rigid sex segregation, corporal punishment, rational spatial ordering, hard labor, observation, examination and medicalized behavior modification "treatments" (Allen 1981; Foucault 1977; Morris and Rothman 1998).

⁶⁵ These excerpts were culled together from four of the BCCs informational brochures, obtained by the author between (March and April 2014).

Though historically, rehabilitation has served as a primary justification for the prison's existence, it has never been its sole function. Classical criminological theory asserts that prisons should also incapacitate criminals, deter criminality and punish offenders (Morris and Rothman 1998). These objectives exist in mutual tension. In order for rehabilitation to occur, captives must be able to exercise some measure of autonomy, but for this to be the case, the prison environment would have to be less punitive. Additionally, in practice, rehabilitative measures are routinely subordinated to the security and fiscal imperatives of prison administrators (Allen 1981; N.A. 1972b). Modern prisons are thus a perennial controversy that have been criticized by groups spanning the political and ideological spectrum. Foucault (1977:268) explains that these critiques often fall into two categories: the prison is either conceived as not corrective enough, or alternatively as too corrective and thus not punitive enough. However, both positions share a belief that the failure of the prison is a technical problem that can be remedied through technical interventions (Garland 2012b). They share the belief that prisons are capable of administering justice.

At the time of this writing, the NY DOCCS mission statement makes no clear mention of rehabilitation, a fact that supports Garland's (2012a:8) observation that "rehabilitation [programs] no longer claim to . . . be the leading purpose of any penal measure." Instead, the NY DOCCS website circuitously claims to provide a "structured environment that fosters respect through communication and structure."⁶⁶ This discourse of "fostering respect" and "providing structure" points to a third critique of rehabilitation. Forcefully advanced by prison abolitionists and scholars in the 1970s, this line of argument is critical of the entire punitive enterprise. It argues that prisons are essentially instruments of domination and that prison authorities deploy

⁶⁶ New York State Department of Corrections and Community Supervision. "The Departmental Mission." Online. Accessed: Dec 27, 2015. <http://www.doccs.ny.gov/mission.html>

rehabilitative language in order to disguise their goal of extracting compliance (Jackson 1990; Jackson 1994 [1970]; Mitford 1973):

The prison is built on coercive control. A vocabulary . . . is utilized to convey the impression of healthy, curative treatment. This "treatment" is designed to retain indeterminate custody over the "deviant" and requires change in his/her behavior. The key to successful rehabilitation is conformity-nothing more, nothing less. When the "deviant" no longer deviates from the values of the dominant class, s/he is "rehabilitated" (Prison Research Education Action Project 2005:34).

According to this view, the vague language of NY DOCCS protocols and directives insidiously facilitates broad administrative "discretion." This is why, for many captives, the experience of rehabilitation is often indistinguishable from the experience of punishment and torture (Gomez 2006; Guenther 2013). This critique is useful for contextualizing the BCC's ostensibly outmoded and conservative analysis of the prison's function. It reveals that the BCC is responding to an institutional assault on their subjectivity and manhood.

A struggle that ensued between the BCC and prison authorities over the organization's 2014 celebration of Black Solidarity Day illustrates how compliance is used to regulate and depoliticize the BCC and other Sanctioned Inmate Organization. Created in 1969 by Dr. Carlos Russell, then a professor at Brooklyn College, Black Solidarity Day was envisioned as a celebration in which Black people in America would abstain from going to work and from spending money in institutions that were not Black owned. Instead, they were to use this day to come together in order to actively discuss political strategies. As I have previously shown, part of the impetus for the 1970 Auburn Rebellion was a demand for the right of captives to observe this holiday. From roughly 1972 onward, Black Solidarity Day has been a widely observed sanctioned holiday in prisons throughout the New York State.

In November of 2014, the BCC was organizing their annual observance of the holiday, which is an institutionally sanctioned event. SIO protocol required the group to submit the

proposed event program and the contents of all performances, poems and speeches, to facility staff in advance. While I did not observe the event, I obtained a copy of a memo sent from the facility Deputy Superintendent of Programs (DSP) to the Executive Board of the Black Consciousness coalition following the event. The document cited the organization for “non-compliance”:

This letter is to notify you that your staff advisor and I have noticed multiple areas of non-compliance of [sic] the past two months. . . The songs, speeches, poems, etc. were turned in for approval and upon completion by the DSP I went over what was approved and denied with you. Prior to the event I reminded you to only perform or say what had been approved. During the first speech the part about not working or going to school was read, even though it was clearly indicated as denied by the DSP. Then two songs that were not included in the packet of material for approval were performed. Even though these songs were not inappropriate they still were not approved prior to being performed. Then towards the end of the event another disregard of directives and policies was made. A spoken word, which was also not included in the packet of material sent for approval, was performed and the content of this would have clearly been denied.⁶⁷

As the memo makes clear, not only do administrative protocols militate against “inappropriate” speech acts (structural critiques of the carceral state, denunciations of prison conditions, charges of racism and brutality), they also proscribe seemingly innocuous assertions of autonomy. Prison authorities must review and expressly permit all organizational activities and speech acts before they are performed within the limited public sphere of ‘prison events,’ irrespective of their appropriateness.

This exchange reveals the gendered dynamics of prison politics. Not only do guards and administrators have a monopoly over the means of physiological and psychological violence, they also have the sole capacity to define the standards of rehabilitation, compliance and non-compliance. They deploy this discourse in ways that preserve the prison’s hierarchal social order.

⁶⁷ “Non-Compliance Memo.” November 2015. New York State Department of Corrections and Community Supervision. Author’s personal collection.

Compliant captives are rewarded while non-compliant captives are punished.⁶⁸ This dynamic encourages captive men to adopt docile and subservient attitudes, traits that are generally associated with women and femininity (Connell 2014). When George Jackson (1994 [1970]:27), a lauded figure of black political masculinity wrote, “they’ll never count me among the broken men,” he was responding to the dynamic relationship between rehabilitation, compliance and emasculation.

We see that more than forty years after the inauguration of the Attica counterinsurgency, reformist prison protocols continue to facilitate the surveillance and regulation of political organizing within the prison. These protocols have powerfully restricted what captives are able to do and say collectively. They have also shaped how captive men experience masculinity and political struggle. In the remaining sections I demonstrate that the state has not secured a victory over its captives. Ingenious forms of opposition have undermined compliance. These political forms often remain inchoate and hidden from view, at other moments they reveal themselves with striking clarity. As a closing example, the unsanctioned poem performed during the BCC Black Solidarity Day event demonstrated that its author, a captive activist-intellectual of Afro-Latino descent, is aware of, and feels an affinity with, the incipient Movement for Black Lives and other organized struggles against racist state violence that were in 2014, unfolding throughout the country, especially in Ferguson, Missouri (Williams 2015). In the following excerpt, he asserts that there is continuity between the violence of plantation slavery and the violence of policing, and that this condition must be challenged *collectively*.

In an attempt for clarity
Dr. Russell founded Black Solidarity
a day we harambee⁶⁹ as family,

⁶⁸ For this particular act of non-compliance, all BCC activities were suspended for sixty days.

⁶⁹ Harambee is a Liswahili word meaning, “let’s pull together.”

opposing police brutality
and all the other calamities plaguing God's chosen ones
its not blasphemy.
When the slavemaster feet on our neck
We need not neutrality
we need action actively
no longer could we be submissive or aggressive
But assertively address the issue, it reality.

Its our children they murderin'
chookin' em out, taserin' em in the head
just watch Ferguson
Its nothing new, because in Dr. Russell's time
This was also heard of then.

The Mechanics of Gendered Dehumanization

We have seen that the Black Consciousness Coalition's capacity to function as a collective is contingent upon the administration's perception of them as compliant. In what follows, I draw on my correspondence with Absolute in order to elaborate the political critiques that exceed and transfigure their sanctioned enunciations. In a September 2014 exchange, after we had been writing for six months, I posed a direct question about the BCC's outwardly conservative analysis of the prison:

On the one hand you recognize and think about under-resourced schools, lack of viable employment opportunities, environmental racism, punitive policing practices, discriminatory laws, etc. But on the other hand it seems like you all think and talk more about "changing criminal behavior," as if the latter exists independently of the former. This is interesting and I wonder if you and the brothers would care to respond to this.

In his theoretically generative response, we begin to see that despite the formidable institutional strictures disciplining against self-determination and critical discourse, the BCC's public language is not an uncritical parroting of the institutional script. Rather, the content of their public discourse is the result of ongoing deliberation and collective analytical engagement.

Fundamentally, the BCC conceptualizes the prison as a contradictory institution that dehumanizes rather than rehabilitates its captives:

In your letter you covered important ground on our conflicting perspectives on crime and imprisonment. The brothers and I have discussed this conflict in detail and our response is multifaceted.

We recognize the hypocrisy between the theory of rehabilitation that is articulated to the public, and the practical application of dehumanization and the superficial availability of so-called rehabilitative programs.

At the same time, each of us feels like a debt is owed to the community that raised and nurtured us whom which we have harmed greatly by our criminal acts. Simply put, when I consider the fact that I sold drugs to people in my community – mothers, fathers, sons, and daughters – I become humbled and wedded to the corrective process. Also, given the choices we made when we were home if it wasn't for prison many of us would have surely perished in the streets. Personally, coming to prison saved me from that outcome.

Critically, the charade of institutional rehabilitation does not discharge Absolute and the BCC of their experience of guilt. Absolute and other BCC members routinely catalogue their “criminal pasts” and describe the devastating consequences their acts produced. They don't blame racist state violence for their transgressions against Black communities. They inhabit the tension that arises from on the one hand, recognizing that the state is waging racist warfare against them, and on the other, their own complicity in that warfare by enacting further injury on the communities that raised and nurtured them. While the extent to which their respective communities actually provided a nurturing environment calls for further investigation, Absolute's point is that the BCC feels agency for the way they reciprocated state violence with acts of intercommunal violence. His ambivalence is compounded by the fact that were it not for his incarceration, he would most likely be dead.

Finally, Absolute asserts that the BCC's language of “changing criminal behavior and thinking” cannot be accurately interpreted without accounting for the specificity of their social position as captives:

But my personal experience does not invalidate the fact that social and economic warfare is being waged in black neighborhoods and that this warfare serves as the foundation of mass incarceration. Our language of “changing criminal behavior and thinking” does not invalidate this fact. Think of it as a “language of liberation” when one is in the belly of the beast. Feel me?

This is a critical insight. While today, civil death is not formally enshrined in penal protocol, it continues to “haunt” penal practice (Gordon 2008a). As several critical prison scholars have noted, captives in the United States are essentially “dead in law” (Chin 2011; Dayan 2011; Gomez 2006; Guenther 2013). The citizenship rights of state captives have either been indefinitely nullified (as in the right to vote), or transmuted into privileges that can be granted or withdrawn according to the whim of prison authorities (as in freedom of speech, freedom of assembly, freedom of association and due process of law). Whereas citizens of the U.S. “free world” enjoy (eroding) protections against unlawful search and seizure and cruel and unusual punishment, prison captives live in an explicitly coercive institutional context and are vulnerable to a panoply of punitive techniques. These techniques include, but are not limited to sanctioned punishments: punitive transfers; the distribution of “tickets” which reflect negatively in parole files; solitary confinement, as well as unsanctioned and/or ‘extralegal’ practices: physical brutality and torture; neglect; humiliation; and impediments to contact with the outside world (AFSC 2014; Dayan 2007; Greenberg and Stender 1971; Sexton and Lee 2006).⁷⁰

Absolute dedicates a significant portion of his letters to theorizing social death and cataloguing penal dehumanization. His ideas stem from the BCC’s collective analysis and theorization of prison conditions. Like many captive men, members of the BCC conceptualize imprisonment as a procedure that specifically targets their manhood (Hames-Garcia 2004; Sabo,

⁷⁰ See also: Robins, Tom. “Guarding the Prison Guards: New York State’s Troubled Disciplinary System.” NYTimes.com. Sept 27, 2015. Online; Winerip, Michael and Schwartz, Michael. “Prison Guard ‘Beat Up Squad’ Is Blamed in New York Inmate’s Death.” NYTimes.com. Aug 18, 2015 Online.

et al. 2001). We can thus theorize their gendered interpretation of imprisonment as an index of the ways in which prison protocols prohibit captive men from achieving what Connell (2014) calls “hegemonic masculinity.” Connell uses this term to describe the socially valorized form of masculinity associated with male dominance, heterosexual prowess, autonomy and public activity. Importantly, hegemonic masculinity is defined against the content of subordinated masculinities (homosexuality, effeminacy) as well as against the presumed characteristics of women (compliance, receptivity, emotion).

According to the BCC, the most readily identifiable aspect of carceral emasculation is that prisons structurally truncate male sexuality.⁷¹ The prison is divided along a rigidly defined sex/gender dichotomy that prevents cisgender men from engaging in proximate platonic, romantic and/or sexual relationships with cisgender or transgender women. It violently delimits male heterosociality and heterosexuality.

Captivity also prevents men from fulfilling their material and economic obligations. Of the nearly 52,000 men who were imprisoned in New York State in 2013, roughly sixty percent, or 35,000 had at least one child.⁷² The geography of prison development in the New York and other states is such that captives are often confined hundreds of miles from their home communities. This makes it difficult for them to even see their children, let alone be a consistent physical presence in their children’s lives. In New York State, captive laborers earn around \$1 per day (NY DOCCS 2004), a pittance that renders them incapable of assuming the role of “providers” in their family lives. To the contrary, in order to survive and meet their needs, captive men largely depend on the material and financial support of women, who send money

⁷¹ New York is one of the few states that allows what the state calls “conjugal visits.” Also there are female guards but as Sabo, et al. (2001) notes they fulfill traditionally male roles.

⁷² New York State Department of Corrections and Community Supervision. “Under Custody Report: Profile of Under Custody Population as of January 1, 2014.

and bring packages of food during visits (Burton 2015). Based on 20th and 21st century ideas about parenthood, captive men cannot define themselves as “good fathers” (Gavanas 2004). Absolute, was incarcerated at the time of his son’s birth. He often writes about his estranged relationship with his son, who has also been in and out of prison. “Many of my struggles relate to my son and the burden I bear for making choices that severely deprived him of the safety and security all children inherently deserves” [sic].

Captive men also have very little privacy. Prison authorities have unfettered access to their domiciles, their property and their bodies. Prison cells are subjected to random searches during which personal property is often seized and/or destroyed. Incarcerated men are subjected to humiliating daily rituals in which their bodies are displayed, examined and probed by prison authorities. For Absolute, these searches are the “most dehumanizing act,” no less because they are performed by male guards. “Each time I have to get naked and then bend over and spread my buttocks to show another MAN a part of my body, (that I have never seen!), my heart shatters into a thousand pieces.” There is also what Absolute calls “subconscious emasculation,” which he defines in narrative form:

One Saturday night back in 1997, I was locked in the cage. This particular night, I had my eyes closed and was thinking about all of the things I could have been doing that precise moment (driving, buying something from the store, hanging out, etc.). It was so real to me that when I opened my eyes and realized “I can’t get out!” I almost snapped! I began hyperventilating and suffered an anxiety attack that didn’t end until I told myself to “STOP,” laid in the fetal position, and forced myself to go to sleep. The next morning I realized I that I was on the edge of losing my mind.

The next day, I had an epiphany that exposed me to the fact that as a survival mechanism, we have to condition ourselves to not even think about leaving our cages between the hours of 10:00pm and 7:00am because the failure to do so, will likely lead to a severe case of mental illness. I want you to imagine the psychological damage done when we are forced to consciously accept the specific nature of our oppression.

For Absolute, subconscious emasculation stems from the materiality and temporality being “locked in the cage.”⁷³ This condition produces an internal transformation at the level of subjectivity. Captives either “consciously accept the specific nature of [their] oppression” or they descend into madness. But neither of these paths allows captive men to remain whole. In order to preserve their sanity, they must learn to curtail their dreams of freedom. But over time, this form of self-discipline lessens one’s manhood.⁷⁴

A substantial number within the population have adopted the administrative view of their condition. [This is] a result of being locked in one’s cell and/or block for decades. I often refer to that dynamic as “the process of domestication.” One must never get too comfortable in this situation.

In some ways, the BCC’s analysis implicitly naturalizes hegemonic masculinity. Though they are certainly aware that captive women are also subjected similar (as well as uniquely dehumanizing) prison protocols (Aretxaga 2001; Davis 2003; Diaz-Cotto 1996; Law 2012; Richie 2012), they do not mention women beyond how their own incarceration impacts wives, mothers and communities. However, the Black Consciousness Coalition has invested significant time and effort into analyzing patriarchal power and the ways that it deforms male subjectivity:

Destructive prison values are a natural outgrowth of the dehumanizing prison experience. Many incarcerated people perceive these values as necessary for survival. One example is the “might makes right” mentality that is practiced and re-enforced by the prison staffers, who are of the opinion that the rules do not apply to them. Of course this attitude trickles down to us. We often look for distinguishing characteristics (physical/emotional weaknesses, homosexuality, lack of material resources, mental illness, physical disabilities, etc.) that would justify the jailhouse mantra: “Never give a sucker an even break.” The one’s who garner the most “respect” are often the ones willing to use extreme violence, over the most trivial matters. The violence/respect connection is quickly established as a blueprint and we see everyday just what happens to our community when this value overflows back into our community.

⁷³ The “cage” is slang for the cell.

⁷⁴ See also: Hames-Garcia (2004) for an illustration of this process.

Although they don't employ a feminist vocabulary, the BCC has begun to employ a feminist analysis. They have developed a critique of the prison's patriarchal culture. For the BCC, the prison is a pedagogical site for the acquisition of destructive values. They understand that within the prison, the capacity of guards and captives to enact violence upon 'lesser men' has positive social effects. Yet they have collectively diagnosed this phenomenon as a toxic sequence in which men leave the prison only to reenact patriarchal violence upon their peers, intimate partners, and children. This is an important analytical feat that foreshadows a possible departure from an unfortunate historical pattern within Black liberation struggles. Black feminist scholars have argued that Black men, who were structurally prohibited from achieving the standards of white masculinity during the regimes of formal chattel slavery and Jim Crow segregation, often envisioned freedom and liberation as the capacity to assume a patriarchal role (Collins 2000; Davis 2010; hooks 2004; Lorde 1984). As the BCC develops their analysis of the prison, they have begun to locate and theorize the ways in which patriarchal authority impedes liberation more broadly. They have begun to devise ways to escape this trap.

Fugitive Masculinity

We have seen that prison authorities police speech acts enunciated by the BCC during prison wide events and through widely circulated documents. While I hesitate to call these forums "public" in light of the captive population's material, geographic and symbolic isolation from civil society and the public sphere, the term enables us to distinguish those spaces and surfaces within the prison that are visible to a broad cross-section of the guard and captive population, from the spaces of delimited privacy that I now turn. Prison authorities allow compliant SIOs to hold regularly scheduled meetings where they ostensibly discuss organizational matters and plan events. Guards escort captives to designated meeting rooms, but

rarely do they attend the actual proceedings. Consequently, in planning meetings the BCC is temporarily beyond gaze of prison authorities and the broader captive population. In these furtive private spaces, the BCC has begun to improvise political tactics associated with Black feminist praxis. They have begun to nurture an incipient Black political masculinity that projects a “nonhierarchical lifeworld” (Vargas 2010:138).

In *Captive Nation: Black Prison Organizing in the Civil Rights Era*, Dan Berger (2014:275) argues, “the daily work of prison organizing relies on labor typically gendered as female.” Indeed, the scholarly literature on Black feminist praxis confirms this insight, as Black and other women of color scholars have shown, Black women’s organizing is generally characterized by struggling against being defined and spoken for by men (Lorde 1984); creating and protecting spaces of reprieve from racist patriarchal violence (hooks 1992); epistemic approaches that deploy experience as a form of political analysis (Collins 2000; Collins 2002); developing and maintaining networks of mutual support (Diaz-Cotto 1996; Sudbury 2005); preserving and transmitting knowledge (Davis 1972a; James 2013); forming partnerships and coalitions (Gilmore 2007; Sudbury 2005; Sudbury 2008). It is important to add that these political forms do not represent the essential substance of Black womanhood. Diaz-Cotto (1996) and Law (2012) have demonstrated that captive women also riot and engage in other putatively masculine forms of resistance. Rather, the aforementioned forms of feminist praxis have emerged as strategies for survival within and against Black women’s historical position of subordination to intersecting structures of what Lorde (1984) calls “racist patriarchy.”

The prison is an unmediated form of racist patriarchy and as the BCC struggles to survive, it has begun to improvise many of these black feminist strategies. The group is organized under the banner of “Blackness,” a designation that appears to appease the

administration's desire for an atomized captive population. However, the BCC understands Blackness as an expansive category that is inclusive of various ethnic, religious, cultural and street affiliations. Primo, a recently paroled activist-intellectual and former member of the BCC Executive Board, elaborates this point:

The main thing I used to say outside of all the brochures is, yo, we need a spot where we can come together as black men in spite of our street organization affiliations. I'm still a 5 Percent Nation Gods and Earths. You had some people who came in with Crips, Nubians, Muslims, Christians, Latin Kings, etc. and we needed a place where we could come together as brothers, and leave our affiliations outside. And as soon as we came together, we would leave that shit outside and we would talk about issues that we have in common – we needed a space for that (Primo interview with author, June 22, 2015).

Primo understands the BCC as first and foremost a means of achieving unity across (intra-racial) difference. His identification with the struggle to “come together as men” is a radical act within an institutional context that systematically emasculates captives and militates against the formation of solidarities. Thus the BCC's praxis undermines prison authority by eschewing what Audre Lorde (1984:112) calls *the first patriarchal lesson*: divide and rule.

The psychological, social and political significance of having access to private sociality within the prison is elaborated by Donald Thompson, a captive activist-intellectual in Pennsylvania, whose insight is presented in the edited volume *The New Abolitionists: (Neo)Slave Narratives and Contemporary Prison Writings* (James 2005):

In the yard and in the dinning room, you are always around a lot of people. You may just want to socialize with one or two at a time, but you'll always find yourself in a situation where – even though it may be people you like and would want to talk to later – you're literally forced to say “Hi!” all day long. That's because the yard is the main thoroughfare. Just sitting right here, right now, I'm around the people I want to be around at this time, talking about things I want to talk about. I can feel a sense of power. As soon as I walk out into that yard, that power is gone (Baxter, et al. 2005:209-10).

Within the private space of planning meetings, BCC members have opportunities to affirm their own humanity and value. They can engage in self-critique and show vulnerability without fear of being identified as “lesser men.” They can provide each other with emotional support, discuss family matters, talk about health issues. They can reconstitute and nurture personality, sociality and create “forms of masculinity that transform, enable, and humanize” (Vargas 2010:xxiii). This activity runs contrary to the patterns of manhood that are valorized in both the prison and the “free world.” The sharing of experience and the expression of vulnerability are generative tools for the BCC’s collective analysis. It was by processing the similarities and differences between member’s experiences that Absolute was able to so clearly delineate the process of carceral emasculation and begin to problematize patriarchal authority.

This is not to suggest that BCC meetings are utopian zones in which captive men transcend all traces of patriarchal subjectivity. There are fault lines and points of discord and struggle within the group itself. To my knowledge, the BCC does not regularly discuss the ways in which homophobia, a discourse that is prevalent within prison environments, emerges from the same value system that produces racist patriarchy (Lorde 1984).⁷⁵ Additionally, all BCC members are not equally invested in political transformation. As Absolute describes, “many prisoners are more focused on instant pleasures – food, sport, and play - than with digesting and responding the painful experiences associated with these conditions.” Although they have formulated a critique of patriarchy, that terminology is not prevalent in their discourse. They also, to my knowledge, do not identify as male feminists. To the contrary, I suspect that were I able to talk to each BCC member separately, many would communicate their aspiration to assume a position of patriarchal authority in their lives and homes.

⁷⁵ This silence may very well reveal a deficit in my own methods, as I have not extensively corresponded with the BCC about their views on homosexuality.

However, the imperfect and inchoate nature of their political praxis does not diminish its value as a horizon of political possibility. Through collective, experience-based analysis, they have cultivated revolutionary consciousness in the form of an embodied critique of racist patriarchy. We can think about this form of scholastic activity using Audre Lorde's theorization of "poetry." For Lorde (1984:37), poetry is "the way we help give name to the nameless so it can be thought." Through their collective praxis, they are beginning to think the unthinkable. They have begun to develop and enact a *poetics* of ethical solidarity and radical inter-dependence within a space that was specifically designed to break their spirit. They have begun to improvise new rituals of manhood that express power, but not power over others. They are struggling to create a language through which to build a life-affirming political masculinity. As Primo continues:

These [prison] codes are not viable and they're inconsistent. When we analyze them, we see that they are self-serving, anti-human and self-destructive. They are fueling ignorance. That's why I say we need to debrief and purge the prison experience. We need to strip it and replace these prison codes. We need some life affirming codes (Primo interview with author, June 22, 2015).

BCC meetings are also spaces in which captive activist-intellectuals transmit the knowledge accumulated through struggle to younger generations. In an August 2014 exchange, Absolute described his response to the recent death of Eddie Ellis:

As for Eddie Ellis's transition to the realm of our ancestors, when I heard the news my heart sank. Primo told me the news while I was [in a meeting]. . . At that point, I asked the brothers to give me an hour of the time so that I could give them (most of them young brothers who did not know much about the history of New York Prisons), an overview of Eddie's life. I began the discussion with a moment of silence for our beloved elder. Then I spoke about the Attica rebellion and the Think Tank. This led to a 2-hour discussion about where do we go from here? And what is our relationship to the movement? The one point I wanted to stress was, even if someone decided not to take a proactive role in advancing the interests of the Criminal and Social Justice movement, one must protect and preserve the advancements procured by those that came before us to ensure that their struggle and sacrifices were not in vain.

Absolute exploited the limited privacy of the planning meeting by circulating a discourse that was not only unsanctioned, but was antagonistic with the logic of the prison itself. Before speaking, he sought *permission*, not from prison authorities, but from the collective, an act that demonstrates the prison's failure to domesticate captives and strip them of solidarity. To the contrary, the simple act demonstrates the kind of institutionally defiant, yet collectively cooperative masculinity that the BCC is generating. Second, Absolute's hour-long political education situated the BCC within the conjuncture produced by the Attica rebellion. In doing so, he valorized traditionally masculine insurrectionary praxis, without presenting it as the only political possibility. Finally, he emphasized that all state captives are embedded within, and accountable to, an ancestral tradition and to a network of relations that extend across time and space, an assertion that negates the social death of incarceration.

The protracted confrontation between the Black Consciousness Coalition and prison authorities demonstrates that hegemony is never total. Though NY DOCCS wields SIOs as an ideological weapon against captive consciousness, self-organization and self-determination, this strategy only militates against political practices that are legible through a patriarchal frame. The Black Consciousness Coalition's strategic compliance to these protocols has afforded them the space to think, organize, and transform collectively. Their captivity within a patriarchal institution has compelled them to improvise feminist tactics that eschew "the master's tools" (Lorde 1984). While this incipient form of political masculinity "fails" to facilitate their bodily escape from the material subjection of the prison, it is antagonistic with the prison's social order. The BCC's practices resist dehumanization and social death; undermine institutional patriarchy and systematic emasculation; and enable preservation of unsanctioned knowledge. As such, it

represents a radical horizon of abolitionist possibility that calls for further exploration, elaboration and nourishment.

Epilogue

Attica Is departs from established accounts of the Attica rebellion by demonstrating that the uprising is not reducible to a historical incident that happened in the past. Instead, it theorizes Attica as a particular *instance* within a larger, protracted confrontation between the state and the racialized populations it deems disposable. For the captives and the state, the 1971 rebellion was both a partial defeat and an ambivalent victory. The captive population attempted to abolish Attica by sustaining the new revolutionary social order it created, while prison authorities sought to eliminate resistance and confine the captive population to the status of *objecthood*. Neither side was able to fully realize their objectives but both were emboldened with new discourses and resources with which to struggle for power. During their four day occupation of D-Yard the captives- in-rebellion generated a new revolutionary consciousness - a recognition of themselves as agents of history capable of positively transformed material reality. The state attempted to stamp out this black radical praxis by deploying its arsenal of racist and gendered violence. Prison authorities then reformed their penal practices by introducing new discourses and techniques of humanization, expansion, optimization and incorporation. These new discourses and techniques marked a moment of inauguration for new modalities of U.S. carceral power which are now part and parcel of the normal functioning of U.S. prisons.

Attica Is reveals that prisons are not as durable as we are led to believe. They become vulnerable at different points in time and this vulnerability creates new opportunities and new challenges for future struggle. It has shown how different collections of captive activist-

intellectuals articulated constantly evolving and often contradictory constellations of demands in response to the changing dynamics of incarceration. The content of these demands included: calls for modest reforms to prison administration, transformations in state prison policy, schemes to collectively escape imperialism and captivity, demands to engage with political movements within and beyond the walls, and articulations of prison abolition. But this work also demonstrates that reactionary prison reforms were compelled not only by external social, political and economic conditions, as conventional wisdom suggests, but also by the production and materialization of revolutionary consciousness among the captive population.

The state's post-Attica innovations were aimed at incapacitating and punishing targeted populations within and beyond the prison walls. They were also aimed at extracting a perverse form of consent from the captive population. While the post-Attica reforms failed to eliminate organized resistance, they succeeded in absorbing abolitionist demands into reformist imperatives. Following the suppression of the occupation, the distinctions between insurgency, reform and repression were muddled to the point of being almost indistinguishable. The Green Haven Think Tank emerged as a paradigmatic expression of the continued struggle against the reformist counterinsurgency. The Think Tank struggled to preserve the idea of Attica by extending the practice of rebellion, insurgency and political theorization within and against the reformed prison. Yet, because they continued to occupy the position of civil and social death, prison authorities were able to co-opt and channel many of their activities in ways that strengthened the prison's legitimacy.

Despite this apparently irreconcilable contradiction, what is evident in the struggles of the Think Tank is the unbroken continuity of black radical insurgency. This activist tradition lives in the present, as evidenced by organizations like the Black Consciousness Coalition, who struggle

to improvise new, insurgent forms of black masculinity and human being under conditions of extreme marginality and delimited agency.

These insurgent political forms demand something from we who inhabit the free world. They call upon us to weaponize our relative freedom and our resources to support struggles taking place in the belly of the beast. They call upon us to actively delegitimize and divest from the economy and the ideology of contemporary racial slavery. They call upon us to build an abolitionist future.

APPENDIX A: TOMB'S DEMANDS (August 10, 1970)⁷⁶
(1 of 3)

We the inmates of the 9th floor of Tombs City Prison, Manhattan, N.Y., submit this petition of grievances and we solicit your attention in this matter.

GRIEVANCES

1. We address ourselves to what we feel to be the injustices we suffer in the courtrooms of the Criminal Court and the Supreme Court of Manhattan County;
 - a. Many of us have been denied preliminary hearings in Criminal Court;
 - b. Those of us who do receive hearings are usually given sham hearings that border on a system of Kangaroo Courts in which we are not given a chance to take the stand in our own behalf, nor are we ever advised of our rights by the judges at these so-called hearings;
 - c. Many of us find ourselves the victims of excessive bails;
 - d. Many of us are brought to court and wind up sitting in the detention cells all day and never get to enter the courtroom (This is generally regarded as a move by the people's representative, the district attorney, to wear the man down so that he will be willing to plead guilty);
 - e. Many of us have submitted writs and petitions to the court asking that the court rectify some error in procedure. We are denied hearings on our writs even though constitutional questions are involved, or, as is usually the case, the writs go unanswered;
 - f. Many of us have been waiting for trial dates for an average of eight months to a year or more and our motions for speedy trials are ignored by the courts.

In conclusion of grievance No. 1, it appears that each and every one of us has been denied some basic constitutional right and we stand before the public at large guilty until we can prove ourselves innocent.

2. In relation to grievance No. 1, in most instances we find that the Legal Aid Society aids and abets the incursions and abuses of our rights in the courtrooms. It is the order of the day for the assigned legal aid, on first meeting his client to open the conversation by saying "I suggest that you take a guilty plea," or "I can speak to the District Attorney and get you (this or that) plea."

All this without even asking the client in confidence whether he is in fact guilty of the charge. Those of us who have to rely on the Legal Aid Society to represent us find that though they are paid by the state they will not thoroughly investigate the case or subpoena witnesses in our behalf.

In conclusion of grievance No. 2, we feel that under the present system of the courts that we cannot receive any justice and can only suffer threat, coercion and intimidation disguised as law and justice.

⁷⁶ All spelling and grammar sic

APPENDIX A: TOMB'S DEMANDS (August 10, 1970)
(2 of 3)

3. We now address ourselves to the physical brutality perpetrated by the officials of Tombs Prison against the inmates thereof. This unnecessary brutality has been largely directed against the black and Puerto Rican inmate population. We vehemently denounce this policy of inhumane treatment.

It is common practice for an inmate to be singled out by some Correction Department employe because he did not hear the officer call his name or because the officer did not like the way this or that inmate looked or because of the manner in which the inmate walked or because the officer brings the turmoil of his own personal problems to work with him, and together with other officers, beat the defenseless inmate into unconsciousness, often injuring him for life physically and mentally or both.

The attacks on the inmates are made by officers wielding blackjack, night sticks, fists and feet. After such attacks it is the policy of the officials in collusion with any one of the institution doctors to fix up fake accident reports to cover up the mayhem that has been committed against the person of the inmate.

We reject all official denials that such things do not happen here as there are those of us who have experienced these sadistic attacks and there are witnesses to verify the fact. It is common knowledge by thoughtful men that "Not one leaf of a tree could turn yellow without the silent knowledge and consent of the tree itself."

That is in relation to the officers who daily brutalize and maim us. These act would not and could not hap-pen without the knowledge and consent of the Commis-sioner of Correction, the As-sistant Commissioner of Cor-rection, the Warden of Tombs Prison, the Deputy Wardens of Tombs Prison, and the Captains of Tombs Prison.

In conclusion of grievance No. 3 We DEMAND that this policy of physical brutality cease immediately.

4. In relation to grievance No. 3, it has come to our attention that our wives, sisters and mothers have been variously insulted and indecently proposed to by the officers of Tombs Prison when they come to visit us. We DEMAND that this abuse to our women be discontinued.
5. We now address our-selves to the food which we are fed. Molded bread; only enough jelly to put on one slice of bread; rotten potatoes, always half-cooked; powdered eggs with the consistency of overcooked tapioca; not enough deserts; THE FOOD IS GENERALLY UNPALATABLE WITHOUT SEASONING AND NOT FIT FOR HUMAN CONSUMPTION. In conclusion to this grievance we DEMAND BETTER PREPARED FOOD.
6. Because many of us feel that we cannot get a fair shake between the Legal Aid Society and the courts, we find that we must prepare our own briefs and motions. This institution has law books in its library, but the institution does not allow the inmates to use the law book for reference data. In conclusion of grievance No. 6 WE DEMAND USE OF THE LAW BOOKS IN THE LIBRARY.
7. This entire institution is ridden with body lice, roaches, rats and mice and we DEMAND THAT ADEQUATE MEASURES BE TAKEN TO ALLEVIATE THIS CONDITION.

APPENDIX A: TOMB'S DEMANDS (August 10, 1970)
(3 of 3)

8. As has been stated, a great majority of the men here spend about an average of eight months to a year here with their cases and a good portion of them, due to circumstances, have no other clothes to wear save those which they had when they entered the institution. We feel that the institution should supply each inmate with adequate clothing and facilities to maintain the upkeep of their civilian attire.
9. We ask that there be an improvement in the medical staff here at the institution. As the matter now stands, the doctors prescribe an assortment of pills for every individual ailment without adequate diagnosis of the patients' complaint. The doctors even relegate responsibility by having an institution nurse listen to prisoners complaint of ailment and prescribe pills for that ailment contrary to standard medical practice and the law in that regard.
10. We ask that there be no repercussions against any of the inmates involved in this protest, and that each and every point of the above list of grievances be given your personal attention. We also ask that this entire petition, without deletion, be made public by giving access to it to the press.

IN CONCLUSION

We are firm in our resolve and we demand, as human beings the dignity and justice that is due to us by right of our birth. We do not know how the present system of brutality and dehumanization and injustice has been allowed to be perpetuated in this day of enlightenment, but we are the living proof of its existence and we cannot allow it to continue.

The manner in which we chose to express our grievances is admittedly dramatic, but it is not as dramatic and shocking as the conditions under which society has forced us to live. We are indignant and so, too, should the people of society be indignant.

The taxpayer, who just happens to be our mothers, fathers, sisters, brothers, sons and daughters should be made aware of how their tax dollars are being spent to deny their sons, brothers, fathers, and uncles justice, equality and dignity.

Respectfully submitted

WE ARE ONE PEOPLE
THE INMATES OF THE 9TH FLOOR TOMBS PRISON.

APPENDIX B: AUBURN REBELLION PRESS RELEASE WRITTEN BY EDDIE ELLIS
(November 1970)
(1 of 2)

① PRESS RELEASE

PRISONERS BEATEN
IN OBSERVANCE OF
BLACK SOLIDARITY

According to reliable eye witnesses, Auburn State Prison in Auburn, New York has been the scene of the most brutal humiliation of black inmates in recent years. The trouble erupted when the overwhelming black population at the prison peacefully demonstrated in support of Black Solidarity Day on ^{Nov 2, 1970} ~~Nov 2, 1970~~. The demonstration took the form of a work stoppage. Many prisoners walked off their jobs and into the ^{PRISON} yard to observe 10 minutes of silence and to pray. Upon seeing the men standing idle the warden, ^{MR} ~~MR~~ FRIEZER ordered them to disperse and return to work. When they refused he ordered prison guards to, "break this mess up." The New York Times ^{Nov 3, 1970} ~~Nov 3, 1970~~, reported a major riot broke out and many prisoners and guards were injured, some critically.

The direct result of this "riot" has been that a large number of black prisoners have been arbitrarily placed in solitary confinement and denied proper medical care, food and visits. Two recently released inmates, who asked that ~~their~~ ^{their} names be withheld for fear of reprisals from the parole board, described the conditions at Auburn State Prison as "so inhumane it is unbelievable". They claim the prisoners accused of leading the demonstration were at various times stripped naked and viciously beaten in the snow, deprived of communicating with their families, forced to exist on bread, beans and cold tea, and have been denied legal representation of their choice. They also state that many inmates who were not part of the demonstration have been severely beaten and deprived of certain privileges in an effort to force them to testify against their fellow inmates before a grand jury and later at a trial. This has been going on, they claim, since ^{Nov 3, 1970} ~~Nov 3, 1970~~.

APPENDIX B: AUBURN REBELLION PRESS RELEASE WRITTEN BY EDDIE ELLIS

November 1970

(2 of 2)

Although the correct names and prison numbers of all the inmates being held has not been determined, efforts to get this information to the outside are being made. It is known that the so called leaders of the demonstration are being charged with kidnapping, mutiny and insurrection. If indicted and convicted these men could receive a maximum sentence of 25 years to life imprisonment.

Efforts have been made to bring this situation to the attention of the National Black Lawyers Group, the Harlem Lawyers Association, the NAACP, the American Civil Liberties Union, Gov. Nelson Rockefeller, the National Committee for Black Solidarity Day, and numerous other civic and religious organizations.

Black Solidarity Day was organized by New York City teacher ~~Carlos Russell~~ to demonstrate unity of goal and purpose among black people. ~~LAST~~ ^{LAST} year the demonstration was held in New York City at Manhattan Center, on ~~Nov. 21, 1970~~ ^{Nov. 21, 1970}. An estimated 5000 black people took off from work to attend. ~~PUBLIC SCHOOLS~~ ^{PUBLIC SCHOOLS} and various businesses reported heavy absence ^{ON} that date. This was the 3rd year Black Solidarity Day was observed.

Numerous prisoners throughout New York State peacefully observed Black Solidarity Day this year in various institutions without trouble. At Sing Sing Correctional Facility the majority of the black population observed the day by assembling on the football field for 10 minutes of silence. Having demonstrated the inmates quietly returned to work. Similar demonstrations took place at Clinton Prison, Attica Prison, Elmira Reformatory and Comstock, all without incident.

[Eddie Ellis]

**APPENDIX C: ATTICA LIBERATION FACTION MANIFESTO OF DEMANDS AND
ANTI-OPPRESSION PLATFORM (July 2, 1971)⁷⁷
(1 of 5)**

We, the imprisoned men of Attica Prison, seek an end to the injustice suffered by all prisoners, regardless of race, creed or color.

The preparation and content of this document has been constructed under the unified efforts of all races and social segments of this prison.

It is a matter of documented record and human recognition that the administration of the New York Prison System has restructured the institutions that were designed to socially correct men into the fascist concentration camps of modern America.

Due to the conditional fact that Attica Prison is one of the most classic institutions of authoritative inhumanity upon men, the following manifesto of demands [is] being submitted:

“Man’s right to knowledge and free use thereof...”

We, the inmates of Attica Prison, have grown to recognize beyond the shadow of a doubt, that because of our posture as prisoners and branded characters as alleged criminals, the administration and prison employees no longer consider or respect us as human beings, but rather as domesticated animals selected to do their bidding in slave labor and furnished as a personal whipping dog for their sadistic, psychopathic hate.

We, the inmates of Attica Prison, say to you, the sincere people of society, the prison system of which your courts have rendered us unto is without question the authoritative fangs of a coward in power.

Respectfully submitted to the people as a protest to the vile and vicious slave masters:

The Governor of New York State

The N.Y.S. Department of Corrections

The N.Y.S. Legislature

The N.Y.S. Courts

The United States Courts

The N.Y.S. Parole Board

And those who support this system of injustice

The inmates of this prison have vested the power of negotiation regarding the settlement of the stipulated demands within the judgment and control of these men:

Donald Noble 26777

Peter Butler 26018

Frank Lott 26148

Carl Jones-El 24534

Herbert Blyden X 22480

All and any negotiation will be conducted by prison and state authorities with these five men.

These demands are being presented to you. This is no strike of any kind to protest these demands. We are *trying* to do this in a democratic fashion. We feel there is no need toward dramatize our demands.

⁷⁷ This version combines versions found in James (2005) and Project NIA’s “A Story of Attica” zine.

**APPENDIX C: ATTICA LIBERATION FACTION MANIFESTO OF DEMANDS AND
ANTI-OPPRESSION PLATFORM (July 2, 1971)
(2 of 5)**

We, the men of Attica Prison, have been committed to the New York State Department of Corrections by the people of society for the purpose of correcting what has been deemed as social errors in behavior. Errors which have classified us as socially unacceptable until reprogrammed with new values and more thorough understanding as to our values and responsibilities as members of the outside community. The Attica Prison program in its structure and conditions have been enslaved on the pages of this Manifesto of Demands with the blood, sweat, and tears of the inmates of this prison.

The program which we are submitted to under the façade of rehabilitation are relative to the ancient stupidity of pouring water on a drowning man, inasmuch as we are treated for our hostilities by our program administrators with their hostility as medication.

In our efforts to comprehend on a feeling level an existence contrary to violence, we are confronted by our captors with what is fair and just, we are victimized by the exploitation and the denial of the celebrated due process of law.

In our peaceful efforts to assemble in dissent as provided under this nation's U.S. Constitution, we are in turn murdered, brutalized, and framed on various criminal charges because we seek the rights and privileges of all American People.

In our efforts to intellectually expand in keeping with the outside world, through all categories of news media, we are systematically restricted and punitively remanded to isolation status when we insist on our human rights to the wisdom of awareness.

MANIFESTO OF DEMANDS

1. We Demand the constitutional rights of legal representation at the time of all parole board hearings and the protection from the procedures of the parole authorities whereby they permit no procedural safeguards such as an attorney for cross-examination of witnesses, witnesses in behalf of the parolee, at parole revocation hearings.
2. We Demand a change in medical staff and medical policy and procedure. The Attica Prison hospital is totally inadequate, understaffed, and prejudiced in the treatment of inmates. There are numerous "mistakes" made many times; improper and erroneous medication is given by untrained personnel. We also demand periodical check-ups on all prisoners and sufficient licensed practitioners 24 hours a day instead of inmates' help that is used now.
3. We Demand adequate visiting conditions and facilities for the inmate and families of Attica prisoners. The visiting facilities at the prison are such as to preclude adequate visiting for inmates and their families.
4. We Demand an end to the segregation of prisoners from the mainline population because of their political beliefs. Some of the men in segregation units are confined there solely for political reasons and their segregation from other inmates is indefinite.

**APPENDIX C: ATTICA LIBERATION FACTION MANIFESTO OF DEMANDS
AND ANTI-OPPRESSION PLATFORM (July 2, 1971)
(3 of 5)**

5. We Demand an end to the persecution and punishment of prisoners who practice the Constitutional Right of peaceful dissent. Prisoners at Attica and other New York prisons cannot be compelled to work as these prisons were built for the purpose of housing prisoners and there is no mention as to the prisoners being required to work on prison jobs in order to remain in the mainline population and/or be considered for release. Many prisoners believe their labor power is being exploited in order for the state to increase its economic power and to continue to expand its correctional industries (which are million-dollar complexes), yet do not develop working skills acceptable for employment in the outside society, and which do not pay the prisoner more than an average of forty cents a day. Most prisoners never make more than fifty cents a day. Prisoners who refuse to work for the outrageous scale, or who strike, are punished and segregated without the access to the privileges shared by those who work; this is class legislation, class division, and creates hostilities within the prison.
6. We Demand an end to political persecution, racial persecution, and the denial of prisoner's rights to subscribe to political papers, books, or any other educational and current media chronicles that are forwarded through the U.S. Mail.
7. We Demand that industries be allowed to enter the institutions and employ inmates to work eight hours a day and fit into the category of workers for scale wages. The working conditions in prisons do not develop working incentives parallel to the many jobs in the outside society, and a paroled prisoner faces many contradictions of the job that add to his difficulty in adjusting. Those industries outside who desire to enter prisons should be allowed to enter for the purpose of employment placement.
8. We Demand that inmates be granted the right to join or form labor unions.
9. We Demand that inmates be granted the right to support their own families; at present, thousands of welfare recipients have to divide their checks to support their imprisoned relatives, who without outside support, cannot even buy toilet articles or food. Men working on scale wages could support themselves and families while in prison.
10. We Demand that correctional officers be prosecuted as a matter of law for any act of cruel and unusual punishment where it is not a matter of life and death.
11. We Demand that all institutions using inmate labor be made to conform with the state and federal minimum wage laws.
12. We Demand an end to the escalating practice of physical brutality being perpetrated upon the inmates of New York State prisons.
13. We Demand the appointment of three lawyers from the New York State Bar Association to full-time positions for the provision of legal assistance to inmates seeking post-
14. conviction relief, and to act as a liaison between the administration and inmates for bringing inmates' complaints to the attention of the administration.
15. We Demand the updating of industry working conditions to the standards provided for under New York State law.
16. We Demand the establishment of inmate worker's insurance plan to provide compensation for work-related accidents.

**APPENDIX C: ATTICA LIBERATION FACTION MANIFESTO OF DEMANDS
AND ANTI-OPPRESSION PLATFORM (July 2, 1971)
(4 of 5)**

17. We Demand the establishment of unionized vocational training programs comparable to that of the Federal Prison System which provides for union instructions, union pay scales, and union membership upon completion of the vocational training course.
18. We Demand annual accounting of the inmates Recreational Fund and formulation of an inmate committee to give inmates a voice as to how such funds are used.
19. We Demand that the present Parole Board appointed by the Governor be eradicated and replaced by the parole board elected by popular vote of the people. In a world where many crimes are punished by indeterminate sentences and where authority acts within secrecy and within vast discretion and given heavy weight to accusations by prison employees against inmates, inmates feel trapped unless they are willing to abandon their desire to be independent men.
20. We Demand that the state legislature create a full-time salaried board of overseers for the State Prisons. The board would be responsible for evaluating allegations made by inmates, their families, friends and lawyers against employers charged with acting inhumanely, illegally or unreasonably. The board should include people nominated by a psychological or psychiatric association, by the State Bar Association or by the Civil Liberties Union and by groups of concerned involved laymen.
21. We Demand an immediate end to the agitation of race relations by the prison administration of this State.
22. We Demand that the Dept. of Corrections furnish all prisoners with the services of ethnic counselors for the needed special services of the Brown and Black population of this prison.
23. We Demand an end to the discrimination in the judgment and quota of parole for Black and Brown people.
24. We Demand that all prisoners be present at the time their cells and property are being searched by the correctional officers of state prisons.
25. We Demand an end to the discrimination against prisoners when they appear before the Parole Board. Most prisoners are denied parole solely because of their prior records. Life sentences should not confine a man longer than 10 years as 7 years is the considered statute for a lifetime out of circulation, and if a man cannot be rehabilitated after a maximum of ten years of constructive programs, etc., then he belongs in a mental hygiene center, not a prison.
26. We Demand that better food be served to the inmates. The food is a gastronomical disaster. We also demand that drinking water be put on each table and that each inmate be allowed to take as much food as he wants and as much bread as he wants, instead of
27. the severely limited portions and limited (4) slices of bread. Inmates wishing a pork-free diet should have one, since 85% of our diet is pork meat or pork-saturated food.
28. We Demand an end to the unsanitary conditions that exist in the mess hall: i.e., dirty trays, dirty utensils, stained drinking cups and an end to the practice of putting food on the tables hours before eating time without any protective covering over it.
29. We Demand that there be one set of rules governing all prisons in this state instead of the present system where each warden makes rules for his institution as he sees fit.

**APPENDIX C: ATTICA LIBERATION FACTION MANIFESTO OF DEMANDS AND
ANTI-OPPRESSION PLATFORM (July 2, 1971)
(5 of 5)**

IN CONCLUSION

We are firm in our resolve and we demand, as human beings, the dignity and justice that is due to us by our right of birth. We do not know how the present system of brutality and dehumanization and injustice has been allowed to be perpetrated in this day of enlightenment, but we are the living proof of its existence and we cannot allow it to continue.

The taxpayers who just happen to be our mothers, fathers, sisters, brothers, daughters and sons should be made aware of how their tax dollars are being spent to deny their sons, brothers, fathers and uncles of justice, equality and dignity.

Attica Liberation Faction
Donald Noble 26777
Peter Butler 26018
Frank Lott 26148
Carl Jones-El 24534
Herbert Blyden X 22480

**APPENDIX D: THE FOLSOM PRISONERS MANIFESTO OF DEMANDS AND ANTI-
OPRESSION PLATFORM (November 3, 1970)
(1 of 8)**

THE FOLSOM PRISONERS MANIFESTO OF DEMANDS

AND

ANTI-DEPRESSION PLATFORM

WE THE IMPRISONED MEN OF FOLSOM PRISON SEEK AN END TO THE
INJUSTICE SUFFERED BY ALL PRISONERS, REGARDLESS OF RACE, CREED,
OR COLOR.

The preparation and content of this document has been constructed
under the unified efforts of all races and social segments
of this prison.

We the inmates of Folsom Prison totally and unlimitedly support
the California state wide prison strike on November 3rd 1970,
under the united effort for designated change in administrative
prison practice and legislative policy.

It is a matter of documented record and human recognition that the
administrators of the California prison system have restructured
the institutions which were designed to socially correct men into
the FACIST CONCENTRATION CAMPS OF MODERN AMERICA.

DUE TO THE CONDITIONAL FACT THA FOLSOM PRISON IS ONE OF THE
MOST CLASSIC INSTITUTIONS OF AUTHORITATIVE INHUMANITY UPON MEN,
THE FOLLOWING MANIFESTO OF DEMANDS ARE BEING SUBMITTED:

November 3, 1970

**APPENDIX D: THE FOLSOM PRISONERS MANIFESTO OF DEMANDS AND ANTI-
OPRESSION PLATFORM (November 3, 1970)
(2 of 8)**

"MAN'S RIGHT TO KNOWLEDGE AND THE FREE USE THEREOF"

We the inmates of Folsom Prison have grown to recognize beyond the shadow of a doubt that because of our posture as prisoners and branded characters as alleged criminals, the administrators and prison employees no longer consider or respect us as human beings, but rather as domesticated animals selected to do their bidding in slave labor and furnished as a personal whipping dog for their sadistic, psychopathic hate.

We the inmates of Folsom Prison, say to you, the sincere people of society, the prison system of which your courts have rendered unto, is without question the authoritative fangs of a coward in power.

Respectfully submitted to the people as a protest to the vile and vicious slavemasters:

THE CALIFORNIA DEPARTMENT OF CORRECTIONS
THE CALIFORNIA ADULT AUTHORITY
THE CALIFORNIA STATE LEGISLATURE
THE CALIFORNIA STATE COURTS
THE UNITED STATES COURTS

AND THOSE WHO SUPPORT THIS SYSTEM OF INJUSTICE.

CALIFORNIA PRISONERS UNION

* Copies reproduced as originally submitted *

**APPENDIX D: THE FOLSOM PRISONERS MANIFESTO OF DEMANDS AND ANTI-
OPRESSION PLATFORM (November 3, 1970)**
(3 of 8)

We the inmates of this prison have vested the power of negotiation regarding settlement of the stipulated demands within the judgment and control of these four men of the outside world society:

SAL CANDELARIA,	(BROWN BERETS)
HUEY P. NEWTON	(BLACK PANTHER PARTY)
CHARLES GARRY	(3RD WORLD LEGAL DEFENSE COUNSEL)
REPRESENTATIVE	FOR THE CALIFORNIA PRISONER'S UNION TO BE DESIGNATED)

All and any negotiation will be conducted by Prison and State Authorities with these four men.
There shall be no convict committees.

AT 8:30 A.M., NOVEMBER 3RD, 1970, ALL CONVICT LABOR
AND ASSIGNED ACTIVITY SHALL CEASE TO FUNCTION, WITH
THE STIPULATED EXCEPTIONS OF:
(1). HOSPITAL WORKERS
(2). CULINARY WORKERS

ACTIVITY SHALL NOT RESUME UNTIL THE PRISON INMATE POPULATION
HAVE RECEIVED DIRECTION FROM THE STIPULATED FOUR PERSON PANEL
AS ABOVE MENTIONED, EITHER THROUGH RADIO, NEWS MEDIA, OR PERSONAL
APPEARANCE.

**APPENDIX D: THE FOLSOM PRISONERS MANIFESTO OF DEMANDS AND ANTI-
OPRESSION PLATFORM (November 3, 1970)**
(4 of 8)

We the men of Folsom Prison have been committed to the State Correctional Authorities by the people of society for the purpose of correcting what has been deemed as social errors in behavior. Errors which have classified us as socially unacceptable until reprogrammed with new values and more thorough understanding as to our roles and responsibilities as members of the outside community. The Folsom Prison program in its structure and conditions have been enslaved on the pages of this Manifesto of Demands with the blood, sweat, and tears of the Inmates of this prison.

The programs which we are submitted to under the facade of rehabilitation, is relative to the ancient stupidity of pouring water on a drowning man, inasmuch as we are treated for our hostilities by our program administrators with their hostility as a medication.

In our efforts to comprehend on a feeling level an existence contrary to violence, we are confronted by our captors with as to what is fair and just, we are victimized by exploitation and the denial of the celebrated due process of law.

In our peaceful efforts to assemble in dissent as provided under this Nation's United States Constitution, we are in turn murdered, brutalized and framed on various criminal charges because we seek the rights and privileges of ALL AMERICAN PEOPLE.

In our efforts to intellectually expand in keeping with the outside world, through all categories of News Media, we are systematically restricted and punitively offended to isolation status when we insist on our human rights to the wisdom of awareness.

**APPENDIX D: THE FOLSOM PRISONERS MANIFESTO OF DEMANDS AND ANTI-
OPRESSION PLATFORM (November 3, 1970)**
(5 of 8)

MANIFESTO OF DEMANDS
11/3/70

1)

We demand the constitutional rights of legal representation at the time of all Adult Authority hearings, and the protection from the procedures of the Adult Authority whereby they permit no procedural safeguards such as an attorney for cross examination of witnesses, witnesses in behalf of the parolee, at parole revocation hearings.

2)

We demand a change in medical staff and medical policy and procedure. The Folsom Prison Hospital is totally inadequate, understaffed; prejudicial in the treatment of inmates. There are numerous "mistakes" made many times, improper and erroneous medication is given by untrained personnel. The emergency procedures for serious injury are totally absent in that they have no emergency room whatsoever; no recovery room following surgery which is performed by practitioners rather than board member surgeons. They are assisted by inmate help neither qualified, licensed, nor certified to function in operating rooms. Several instances have occurred where multiple injuries have happened to a number of inmates at the same time. A random decision made by the M.D. in charge as to which patient was the most serious and needed the one surgical room available. Results were fatal to one of the men waiting to be operated upon. This is virtually a death sentence to such a man who might have lived otherwise.

3)

We demand adequate visiting conditions and facilities for the inmates and families of Folsom prisoners. The visiting facilities at this prison are such as to preclude adequate visiting for the inmates and their families. As a result the inmates are permitted two hours, two times per month to visit with family and friends, which of course has to be divided between these people. We ask for additional officers to man the visiting room five days per week, so that everyone may have at least four hours visiting per month. The administration has refused to provide or consider this request in prior appeals using the grounds of denial that they cannot afford the cost of the extra officers needed for such change. However, they have been able to provide twelve new correctional officers to walk the gun rails of this prison, armed with rifles and shotguns during the daytime hours when most of the prison population is at work or attending other assignments. This is a waste of the taxpayers money, and a totally unnecessary security precaution.

4)

We demand that each man presently held in the Adjustment Center be given a written notice with the Warden of Custody signature on it explaining the exact reason for his placement in the severely restrictive confines of the Adjustment Center.

5)

We demand an immediate end to indeterminate adjustment center terms to be replaced by fixed terms with the length of time served being terminated by good conduct and according to the nature of the charges, for which men are presently being warehoused indefinitely without explanation.

6)

We demand an end to the segregation of prisoners from the mainline population because of their political beliefs. Some of the men in the Adjustment Center are confined there solely for political reasons and their segregation from other inmates is indefinite.

**APPENDIX D: THE FOLSOM PRISONERS MANIFESTO OF DEMANDS AND ANTI-
OPRESSION PLATFORM (November 3, 1970)**
(6 of 8)

-demands-

11/3/70

7)
We demand an end to political persecution, racial persecution, and the denial of prisoners to subscribe to political papers, books or any other educational and current media chronicals that are forwarded through the United States Mail.

8)
We demand an end to the persecution and punishment of prisoners who practice the constitutional right of peaceful dissent. Prisoners at Folsom and San Quentin Prisons according to the California State Penal Code cannot be compelled to work as these two prisons were built for the purpose of housing prisoners and there is no mention as to the prisoners being required to work on prison jobs in order to remain on the mainline and/or be considered for release. Many prisoners believe their labor power is being exploited in order for the State to increase its economic power and continue to expand its correctional industries which are million dollar complexes, yet do not develop working skills acceptable for employment in the outside society, and which do not pay the prisoner more than the maximum sixteen cents per hour wage. Most prisoners never make more than six or eight cents per hour. Prisoners who refuse to work for the two to sixteen cents pay rate, or who strike, are punished and segregated without the access to the privileges shared by those who work, this is class legislation; class division, and creates class hostilities within the prison.

9)
We demand an end to the tear-gassing of prisoners who are locked in their cells, such action led to the death of Willie Powell in Soledad Prison, in 1968 and of Fred Billingslea, on February 25th 1970 at San Quentin Prison. It is cruel and unnecessary.

10)
We demand the passing of a minimum and maximum term bill which calls for an end to the indeterminate sentences whereby a man can be warehoused indefinitely, rehabilitated or not. That all prisoners have the right to be paroled after serving their minimum term instead of the cruel and unusual punishment of being confined beyond his minimum eligibility for parole, and never knowing the reason for the extension of time, nor when time is completed. The maximum term bill eliminates indefinite life time imprisonment where it is unnecessary and cruel. Life sentences should not confine a man for longer than ten years as seven years is the statute for a considered lifetime out of circulation and if a man cannot be rehabilitated after a maximum of ten years of construction programs, etc., then he belongs in a mental hygiene center, not a prison. Reconsider Adult Authority Resolution 171, arbitrary fixing of prison terms.

11)
We demand that industries be allowed to enter the Institutions and employ inmates to work eight hours a day and fit into the category of workers for scale wages. The working conditions in prisons do not develop working incentives parallel to the money jobs in the outside society, and a paroled prisoner faces many contradictions of the job that adds to his difficulty to adjust. Those industries outside who desire to enter prisons should be allowed to enter for the purpose of employment placement.

**APPENDIX D: THE FOLSOM PRISONERS MANIFESTO OF DEMANDS AND ANTI-
OPRESSION PLATFORM (November 3, 1970)**
(7 of 8)

-demands-

11/3/70

12)

We demand that inmates be allowed to form or join Labor Unions.

13)

We Demand that inmates be granted the right to support their own families, at present thousands of welfare recipients have to divide their checks to support their imprisoned relatives who without the outside support could not even buy toilet articles or food. Men working on scale wages could support themselves and families while in prison.

14)

We demand that correctional officers be prosecuted as a matter of law for shooting inmates, around inmates, or any act of cruel and unusual punishment where it is not a matter of life or death.

15)

We demand that all institutions who use inmate labor be made to conform with the state and federal minimum wage laws.

16)

We demand that all condemned prisoners, avowed revolutionaries and prisoners of war be granted political asylum in the countries under the Free World Revolutionaly Solidarity Pact, such as Algeria, Russia, Cuba, Latin America, North Korea, North Vietnam, etc., and that prisoners confined for political reasons in this country, until they can be exchanged for prisoners of war held by America, be treated in accord with the 1954 Geneva Convention; that they, their personal property be respected, and allowed in their possession, and that they not be manacled.

17)

We demand and end to trials being held on the premises of San Quentin Prison, or any other prison without the jury as stated in the U.S. Constitution as being picked from the country of the trial proceedings and of the peers of the accused; that being in this case, other prisoners as the selected jurors.

18)

We demand an end to the escalating practice of physical brutality being perpetrated upon the inmates of California State Prisons at San Quentin, Folsom, and Soledad Prison in particulary.

19)

We demand that such celebrated and prominent political prisoners as Reis Tijerina, Ahmad Evans, Bobby Seals, Chip Fitzgerald, Los Siete, David Harris, and the Soledad Brothers, be given political asylum outside this country as the outrageous slandering of the mass media has made it impossible either for a fair trial or for a safe term to be served in case of conviction as the forces of reactions and repressions will be forever submitting them to threats of cruel and unusual punishment and death wherever they are confined and throughout the length of their confinement.

20)

We demand appointment of three lawyers from the California Bar Association for fulltime positions to provide legal assistance for inmates seeking post-conviction relief, and to act as liaison between the Administration and inmates for bringing inmate complaints to the attention of the Administration.

21)

We demand update of industry working conditions to standards as provided for under California law.

22)

We demand establishment of inmate workers insurance plan to provide compensation for work related accidents.

**APPENDIX D: THE FOLSOM PRISONERS MANIFESTO OF DEMANDS AND ANTI-
OPRESSION PLATFORM (November 3, 1970)**
(8 of 8)

- demands -

11/3/70

23) .

We demand establishment of unionized vocational training program comparable to that of the Federal Prison System which provided for union instructions, union pay scale, and union membership upon completion of the vocational training course.

24) .

We demand annual accounting of Inmate Welfare Fund and formulation of inmate committee to give inmates a voice as to how such funds are used.

25) .

We demand that the Adult Authority Board appointed by the Governor be eradicated and replaced by a parole board elected by popular vote of the people. In a world where many crimes are punished by indeterminate sentences; and where authority acts within secrecy and within vast discretion and given heavy weight to accusations by prison employees against inmates, inmates feel trapped unless they are willing to abandon their desire to be independent men.

26) .

We demand that the State and Prison Authorities conform to recommendation #1 of the "Soledad Caucus Report," to wit, "That the State Legislature create a fulltime salaried board of overseers for the State Prisons. The Board would be responsible for evaluating allegations made by inmates, their families, friends, and lawyers against employees charged with acting inhumanely, illegally or unreasonably. The board should include people nominated by a psychological or psychiatric association, by the State Bar Association or by the Public Defenders Association, and by groups of concerned, involving laymen."

27) .

We demand that prison authorities conform to the conditional requirements and needs as described in the recent released Manifesto from the Folsom Adjustment Center.

28) .

We demand an immediate end to the agitation of races relations by the prison administrations of this state.

29) .

We demand that the California Prison System furnish Folsom Prison with the services of Ethnic Counselors for the needed special services of Brown and Black population of this prison.

30) .

We demand an end to the discrimination in the judgement and quota of parole for Black and Brown people.

31) .

We demand that all prisoners be present at the time that their cells and property are being searched by the correctional officers of state prisons.

Distributed by
CONNECTIONS
330 Ellis St.
S.F. 673-0298

APPENDIX E: DECLARATION TO THE PEOPLE OF AMERICA (September 9, 1971)
READ BY L.D. BARKLEY

The People of the United States of America: first of all we want it to be known that in the past we have had some very, very, treacherous experiences with the Department of Correction of New York State. They have promised us many things and they are giving us nothing except more of what we've already got: brutalization and murder inside this penitentiary. We do not intend to accept to allow ourselves to accept this situation again. Therefore, we have composed this declaration to the People of America to let them know exactly how we feel and what it is that they must do and what we want primarily, not what someone else wants for us. We're talking about what we want. There seems to be a little misunderstanding about why this incident developed here at Attica and this declaration here will explain the reason:

The entire incident that has erupted here at Attica is not a result of the dastardly bushwhacking of the two prisoners, September 8, 1971, but of the unmitigated oppression wrought by the racist administrative network of this prison throughout the year. We are men. We are not beasts and we do not intend to be beaten or driven as such. The entire prison populace, that means each and every one of us here, have set forth to change forever the ruthless brutalization and disregard for the lives of the prisoners here and throughout the United States. What has happened here is but the sound before the fury of those who are oppressed. We will not compromise on any terms except those terms that are agreeable to us. We've called upon all the conscientious citizens of America to assist us in putting an end to this situation that threatens the lives of not only us, but of each and every one of you, as well. We have set forth demands that will bring us closer to the reality of the demise of these prison institutions that serve no useful purpose to the people of America, but to those who would enslave and exploit the people of America.

Our demands are such:

1. We want complete amnesty, meaning freedom from all and any physical, mental and legal reprisals.
2. We want now, speedy and safe transportation out of confinement to a nonimperialistic country.
3. We demand that the Federal Government intervene, so that we will be under direct Federal Jurisdiction.
4. We want the Governor and the Judiciary, namely Constance B. Motley, to guarantee that there will be no reprisals and we want all factions of the media to articulate this.
5. We urgently demand immediate negotiations through William M. Kunstler, Attorney at Law, 588 9th Avenue, New York, New York; Assemblyman Arthur O. Eve of Buffalo; the Prisoner Solidarity Committee of New York; Minister Farrakan of the Muslims. We want Huey P. Newton from the Black Panther Party and we want the Chairman of the Young Lords Party. We want Clarence B. Jones of the Amsterdam News. We want Tom Wicker of the New York Times. We want Richard Roth from the Currier Express. We want the Fortune Society; Dave Anderson of the Urban League of Rochester; Brine Eva Barnes; We want Jim Hendling of the Democratic Late Chronicle of Detroit, Michigan. We guarantee the safe passage of all people to and from this institution. We invite all the people to come here and witness this degradation so that they can better know how to bring this degradation to an end. This is what we want.

—The Inmates of Attica Prison

**APPENDIX F: THE 15 PRACTICAL PROPOSALS (September 9, 1971) - HANDED TO
OSWALD BY CAPTIVE JERRY ROSENBERG**

PRACTICAL PROPOSALS

1. Apply the New York State minimum wage law to all state institutions. STOP SLAVE LABOR.
2. Allow all New York State prisoners to be politically active, without intimidation or reprisals.
3. Give us true religious freedom.
4. End all censorship of newspapers, magazines, letters, and other publications coming from the publisher.
5. Allow all inmates, at their own expense, to communicate with anyone they please.
6. When an inmate reaches conditional release date, give him a full release without parole.
7. Cease administrative resentencing of inmates returned for parole violations.
8. Institute realistic rehabilitation programs for all inmates according to their offense and personal needs.
9. Educate all correctional officers to the needs of the inmates, i.e., understanding rather than punishment.
10. Give us a healthy diet, stop feeding us so much pork, and give us some fresh fruit daily.
11. Modernize the inmate education system.
12. Give us a doctor that will examine and treat all inmates that request treatment.
13. Have an institutional delegation comprised of one inmate from each company authorized to speak to the institution administration concerning grievances (QUARTERLY).
14. Give us less cell time and more recreation with better recreational equipment and facilities.
15. Remove inside walls, making one open yard, and no more segregation or punishment.

APPENDIX G: THE TWENTY-EGHT POINTS (SEPTEMBER 11, 1971)
(1 of 2)

The following are the proposals that State Correction Commissioner Russell G. Oswald said that he would accept after a meeting with the observers' committee on September 11th 1971.


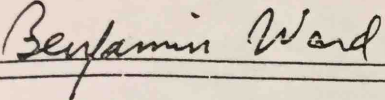
1. Provide adequate food, water and shelter for all inmates.
2. Inmates shall be permitted to return to their cells or to other suitable accommodations or shelter under their power. The observer committee shall monitor the implementation of this operation.
3. Grant complete administrative amnesty to all persons associated with this matter. By administrative amnesty the state agrees:
 - a. Not to take any adverse parole actions, administrative proceedings, physical punishment or other type of harassment, such as holding inmates incommunicado, segregating inmates, or keep them in isolation or in 24-hour lockup.
 - b. The state will grant legal amnesty in regard to all civil actions that could arise from this matter.
 - c. It is agreed that the State of New York and all its departments, divisions and subdivisions, including the State Department of Corrections and the Attica Correctional Facility and its employees and agents, shall not file or initiate any criminal complaint or act as complainant in any criminal action of any kind or nature relating to property damage or property-related crimes arising out of the incidents at the Attica Correctional Facility during September 9, 10, and 11, 1971.
4. Recommend the application of the New York State Minimum Wage Law standards to all work done by inmates. Every effort will be made to make the records of payments available to inmates.
5. Establish by Oct. 1 a permanent ombudsman service for the facility, staffed by appropriate persons from the neighboring communities.
6. Allow all New York State prisoners to be politically active without intimidation or reprisal.
7. Allow true religious freedom.
8. End all censorship of newspaper, magazines and other publications from publishers, unless it is determined by qualified authority, which includes the ombudsman, that the literature in question presents a clear and present danger to the safety and security of the institutions. Institution spot-censoring only of letters.
9. Allow all inmates at their own expense to communicate with anyone they please.
10. Institute realistic, effective rehabilitation programs for all inmates according to their offense and personal needs.
11. Modernize the inmate education system, including the establishment of a [Spanish-language] library.
12. Provide an effective narcotics treatment program for all prisoners requesting such treatment.
13. Provide or allow adequate legal assistance to all inmates requesting it, or permit them to use inmate legal assistance of their choice in any proceeding whatsoever. In all such proceedings inmates shall be entitled to appropriate due process of law.

APPENDIX G: THE TWENTY-EIGHT POINTS (SEPTEMBER 11, 1971)
(2 of 2)

14. Reduce cell time, increase recreation time and provide better recreation facilities and equipment, hopefully by Nov. 1, 1971.
15. Provide a healthy diet, reduce the number of pork dishes, increase fresh fruit daily.
16. Provide adequate medical treatment for every inmate. Engage either a Spanish-speaking doctor or interpreters who will accompany Spanish-speaking inmates to medical interviews.
17. Institute a program for the recruitment and employment of a significant number of black and Spanish-speaking officers.
18. Establish an inmate grievance commission, comprised of one elected inmate from each company, which is authorized to speak to the administration concerning grievances and develop other procedures for inmate participation in the operation and decision-making processes of the institution.
19. Investigate the alleged expropriation of inmate funds and the use of profits from the metal or other shops.
20. The State Commissioners of Correctional Services will recommend that the penal law be changed to cease administrative resentencing of inmates returned for parole violation.
21. Recommend that Menenchino hearings be held promptly and fairly. [This concerns the right of prisoners to be represented legally on parole-violation changes.]
22. Recommend necessary legislation and more adequate funds to expand work relief programs.
23. End approved lists for correspondents and visitors.
24. Remove visitation screens as soon as possible.
25. Institute a 30-day maximum for segregation arising out of any one offense. Every effort should be geared toward restoring the individual to regular housing as soon as possible, consistent with safety regulations.
26. Paroled inmates shall not be charged with parole violations for moving traffic violations or driving without a license unconnected with any other crimes.
27. Permit access to outside dentists and doctors at the inmates' own expense within the institution where possible and consistent with scheduling problems, medical diagnosis and health needs.

It is expressly understood that members of the observer committee will be permitted into the institution on a reasonable basis to determine whether all of the above provisions are being effectively carried out. If questions of adequacy are raised, the matter will be brought to the attention of the Commissioner of Correctional Services for clearance.

**APPENDIX H: NYDOCCS DIRECECTIVE 2002: MEMBERSHIP IN THE KU KLUX
KLAN ORGANIZATION (September 2, 1975)
(1 of 2)**

 STATE OF NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES DIRECTIVE	CLASSIFICATION #2002	DATE 9/2/75
	SUPERSEDES	PAGE 1 OF 2 PAGES
APPROVING AUTHORITY 	SUBJECT Membership in the Ku Klux Klan Organization	

I. Purpose:

To describe department policy on membership in the Ku Klux Klan.

II. Policy:

Please be advised that the Department of Correctional Services has completed an extensive investigation and analysis of alleged Ku Klux Klan related activity within the State's correctional system.

The vast majority of employees within the Department stand in opposition to the principles and activity of the Ku Klux Klan.

While the investigation has revealed limited instances of direct involvement in the Ku Klux Klan by departmental employees, reports of potential activity and expressions of fear among employees and inmates are widespread and pervasive.

The Department emphatically denounces the Ku Klux Klan as a racist, terrorist organization whose aims and goals are totally inconsistent with the State of New York's mandate of correctional service.

The Department is fully cognizant of the First Amendment right of employees to freely associate. In addition, the Department affirms the constitutional right of inmates under the Eighth Amendment to humane treatment. Evaluation of the delicate balance of rights results in favor of the inmates since conditions of their confinement limit their ability to control their circumstances. The imbalance resulting from presence of the Klan within the correctional system warrants sufficient cause to ban employee membership in the organization.

In a community where more than 60% of the inmates are non-white, not only does the presence of the Klan disrupt a secure and humane environment, but even the possibility or hint of Klan related activity establishes a tone which can cripple the effective operation of a correctional facility.

The Department will not tolerate any such threat to the productive administration, substantive programming and appropriate security of its facilities.

Effective immediately, departmental policy strictly forbids membership in the Ku Klux Klan.

**APPENDIX H: NYDOCCS DIRECECTIVE 2002: MEMBERSHIP IN THE KU KLUX
KLAN ORGANIZATION (September 2, 1975)
(2 of 2)**

Membership in the Ku Klux Klan Organization	CLASSIFICATION # 2002	DATE 9/2/75	PAGE 2 OF 2
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Any employee who is a member of the Ku Klux Klan must disassociate from the organization immediately. Membership in the Ku Klux Klan by an employee of the Department of Correctional Services on or after October 1, 1975 will result in appropriate disciplinary action.

APPENDIX I: GREENHAVEN THINK TANK DOCUMENT (1972)
(1 of 5)

New York State prisons have recently been subject to a number of violent rebellions and disorders. According to the Correction Administration the cause of these violent disorders are a small core of "militant" prisoners with "radical" social and political beliefs. However, since Attica the findings of various investigating committees and commissions have revealed three statistical facts:

- 1) The overwhelming majority of prisoners are the products of the large urban areas where social denial and economic deprivation are the prevailing facts of life.
- 2) That at least 95% of these prisoners return to these deprived areas and circumstances.
- 3) That there is now a direct relationship between state prisons and these urban crisis areas that is clearly stated in current crime and recidivism rates.

It is the dooming life-view and circumstance of these facts which determine a prisoners perspective of both his imprisonment and his future upon release. Thus, prisoners are not rebelling against prison conditions, rather they are rebelling against the facts of their lives. The concern and involvement of their prison activity, spring from an awareness that prison is but a microscopic and highly concentrated reproduction of the broader society, and what transpires in prison is but a greatly focussed mirror of societal living. Is it any wonder that their concern and involvement reach beyond these prison walls? That their concern and involvement are social and political in nature is because their concern for their future after release from prison demands an involvement with their present imprisonment.

That the predominant number of state prisoners are derived from specific communities in the large urban areas, that because social pressures funnel them right back to the deprived circumstances of these areas, reveal the direct relationship that now exists between state prisons and urban areas. This direct relationship is fairly new

APPENDIX I: GREENHAVEN THINK TANK DOCUMENT (1972)
(2 of 5)

- 2 -

and reflects the changes that have occurred in prison populations in the last two decades. That no relevant concomitant changes in prison programs and policies have been instituted during this period has resulted in the present conflicts and confrontations motivating recent prison rebellions.

7
(Traditional (present) prison programs do not address the direct relationship that now exists between state prisons and the urban crisis areas from which prison populations are now derived.) This can be readily seen in regard to that so-called "small group of these militants and radicals". The social and political activities of these prisoners are not recognized as an outgrowth of a concern and involvement with the peculiar life-circumstance of their imprisonment, and is defined by traditional penal policy as threatening and disruptive behavior. No prison program exists to develop this concern, to channel it towards existing vehicles of expression. As a result, concern becomes conflict, and involvement, confrontation.

Perhaps the most horrid approach adopted by the prison administration to the inmate social activist is the creation of Maxi-Maxi, recently modified in the face of public disclaim to the "perscription program" or RX Program. Considering the social value of their concern and involvement, the authors of the following "THINK TANK" concept (all inmate social activist) seek to develop and utilize such activity in the solution of what we define as our life-situation.

END 8 For more information about the THINK TANK CONCEPT and how your involvement can be utilized as a realistic solution to the rising crime and recidivism rates which threaten our community, please contact

Mr. Das Valez, Supervisor
Correctional Volunteer Services
Greenhaven Correctional Facility
Stormville, New York 12582

Lawrence O. White 16568
Chairman, Think Tank
Greenhaven Correctional Facility, Stormville, N.Y.

Sincerely,
Lawrence O. White 16568
Chairman
Greenhaven Think Tank

APPENDIX I: GREENHAVEN THINK TANK DOCUMENT (1972)
(3 of 5)

GREENHAVEN THINK TANK

INTRODUCTION:

The THINK TANK is composed of socially concerned and involved inmates whose activity has been defined by traditional prison policies as "radical", "militant" and "disruptive".

Page 4
The THINK TANK is conceived as an alternative to traditional prison policies which have failed to establish programs designed to recognize, develop and utilize the broad social concerns as a desired and beneficial evolution that marks the progress of a maturing society.

AIMS:

The THINK TANK is a vehicle designed to develop the expertise and to utilize the social concern and involvement of the actively aware inmate in the accomplishment of the following:

1. A 'DEMONSTRATION' PROJECT utilizing the knowledge of various community social service agencies and community development organizations which are increasingly employing paraprofessional ex-offenders, in a program designed to develop the expertise of socially active inmates in such community problem areas as economic development, education, health, housing, employment, public safety, transportation, municipal government, and methods of research and problem solving.
2. Engage such prominent research and development agencies as the METROPOLITAN APPLIED RESEARCH CENTER of N.Y.C. as consultants in the development of the THINK TANK CONCEPT as feasible demonstration project. Through the involvement of such community organizations, (the primary purpose of the THINK TANK CONCEPT can be accomplished: The need for greater community involvement in the creation and development of alternative prison programs and processes. This is a logical involvement based upon the direct relationship that now exists between state prisons and urban crisis areas.
3. To develop the expertise of the Think Tank, and to involve community efforts in achieving the following:

APPENDIX I: GREENHAVEN THINK TANK DOCUMENT (1972)
(4 of 5)

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LONG RANGE PRIORITIES:

- (A) Reduction of prison populations and the phasing-out of existing prison models by:
 - 1. Speeding the outflow, that is, by a program of accelerated release (on parole), of presently confined prisoners, and
 - 2. Slowing the inflow, that is, by insisting on greater numbers of persons placed on improved probation and other non-custodial programs.
- (B) The development of alternative prison models and processes by:
 - 1. Increased community-involvement in the correctional processes can best be achieved not by building more prisons in populated areas (as is presently planned: see Select Committee on Correctional Institutions and Programs, Report No.4, 9/12/72, but by energetically funding community programs which place the offender at work in his community, learning new skills, acquiring new educational competence, and becoming so immersed in the life of his community that norm compliance becomes much more natural.

SHORT RANGE PRIORITIES

- 1. The creation of a community-based organ, designed to develop greater community involvement in the creation and development of alternative prison programs and processes, and to enter into the planning processes of the Department of Correctional Services in these matters.)
- 2. The creation of a legislative lobby supportive of prison reform.
- 3. Active participation in community-prison dialogues and workshops to be participated in by Think Tank members, community elements and state correctional authorities.
- 4. Immediate revision of the Parole Board.

APPENDIX I: GREENHAVEN THINK TANK DOCUMENT (1972)
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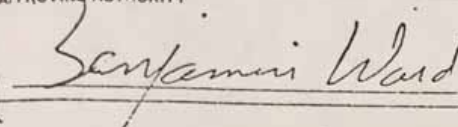
- 3 -

PURPOSE:

The purpose of the THINK TANK is to allow inmates an opportunity to enter into the process of solving the broader problems of their life-situation, which they view as not one of a struggle against prison conditions, but rather the broader social problems of the communities to which they will return.

The THINK TANK is an inmate created concept and is a model of the kind of structures they are capable of creating. Most important in this concept is the fact that the inmate activist is knowledgeable of the direction to be taken in the solution of his problems.

APPENDIX J: NY DOCCS DIRECTIVE 4760: INMATE GROUP ACTIVITIES AND ORGANIZATIONS (June 3, 1975)
(1 of 15)

 STATE OF NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES DIRECTIVE	CLASSIFICATION #4760	DATE 6/3/75
	SUPERSEDES AB #111, dated 11/28/73	DISTRIBUTION
APPROVING AUTHORITY 	SUBJECT Inmate Group Activities and Organizations	

I. Purpose:

To describe the Operational Philosophy, Policies, Procedures, and Fiscal Management of Inmate Group Activities And Organizations.

II. Operational Philosophy:

In keeping with the Department of Correctional Services' overall philosophy of directing its goals toward community based and community oriented programming, an ongoing system of constructive interaction between our services and the community is to be encouraged.

Through the involvement of the outside community, inmate groups can be exposed to a greater variety of activities. While, at the same time, the community is offered the opportunity to gain a greater awareness and understanding of the correctional system. Such participation in the group situation can help the individual inmate to develop a greater feeling of self-respect and consideration for others which will, likewise, enable him to gain a better perspective of his own role in the society to which he will return.

A. Goals

The major goals of all group activities should be:

1. To improve the attitude and personality of the participants, stimulate growth in individual understanding and responsibility, fulfill basic needs for acceptance and belonging through association with the broader community, and provide opportunities for the individual to judge his own ability to function in a law abiding manner in the larger community setting in association with other groups or members of the same community.
2. To promote constructive utilization of leisure time through association and interaction with organized groups and/or individual members of the community, providing a positive adjunct in opportunities for new constructive social relationships through contact with community members, and create positive lasting involvements with community organizations of a constructive nature.

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(2 of 15)

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3. To provide socially acceptable outlets for release of tensions and to promote the development of inner controls to assist in the acceptance of respect for others' rights.
4. To provide additional educational, vocational, recreational and social experiences for inmates that will contribute to the development of their potentials in these areas, promote a greater awareness of current socio-economic needs of offenders and encourage the self-help concept in preparing for release.

B. Classification

For classification purposes, most organized group activity can be categorized into (1) Interaction Groups, (2) Religious Groups, and (3) Interest Groups.

1. Interaction Groups

These groups promote expression of honest feelings in order to provide the experience of mutual trusts, and respect between individuals, and to develop sensitivity to the member's own and to other members' feelings. They could either be didactic in nature, therapy oriented or religious group counseling. The actual techniques or styles adopted by group members or their leaders may vary widely without impairing the effectiveness of the group to produce beneficial changes; however, it is essential to note that interaction groups produce either positive or negative results rather than no results. This consideration makes it morally incumbent on those responsible for the welfare of interaction group participants to periodically review the effectiveness of these groups.

Qualities of leadership for such groups are most important. Professional status (being a psychiatrist, psychologist or social worker), while desirable in the leader, is not mandatory to be effective. It is, however, important that a leader bring to the interaction process a high degree of emotional stability, objectivity, and sincerity to achieve the goal of establishing and maintaining rapport with group members. The necessary technical skills can be imparted to an intelligent layman with the aforementioned personal qualifications in a relatively brief period of time (months rather than years) of practical training.

2. Religious Groups

Although this particular group could be incorporated with others, its distinctive quality dictates indi-

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vidual consideration. Religiously oriented groups basically involve interaction, yet also tend to develop a concept of life.

Chaplains and volunteers provide the leadership for these groups and, together, promote the growth of the individual inmate's personal spiritual development.

Leaders of religious group activities should be of high moral character, possess leadership skills, and be able to gain the trust, respect and confidence of the group members.

3. Interest Groups *N.A.A.C.P. - Jaycees - Friends of Fortune*

Interest groups exist for people with shared interests leaning towards a common goal. Understandably, in the case of the incarcerated, such interest type programs must be designed around a goal which is congruent with the overall goals and objectives of the correctional agency.

Interest group activities fulfill a basic need to feel acceptance by others. Further, the constructive use of leisure time exposes inmates to social activities of an acceptable nature (chess, hobbies, athletics) which should strengthen the ability to refrain from criminal activities upon release.

Although all group activities are intended to better prepare the participants for re-entry to the larger community, some interest groups may be specifically formed for the purpose of preparing an inmate for return to the community. Involving the resident in the activities of the larger community reduces the sense of social isolation that comes from living within an institutional setting.

Information regarding the availability of employment, education, and various social service resources can be communicated in these pre-release preparation type programs. Helping others, by working together with responsible citizens, serves as a powerful motivation toward developing a self-image of independence, responsibility, and self-control.

Again, it is recognized that the success of these groups is dependent upon voluntary participation of interested staff and members of the outside community. Qualifications for staff advisors should be similar to those of interaction group leaders.

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III. Policies and Procedures:

Although it is desirable to involve as many staff, outside agencies and community resources as practical, it is necessary that definite guidelines be established to govern and evaluate the merit of the groups. Accordingly, the following guidelines are set forth:

A. Program Planning and Approval

1. All inmate group activity programs within a correctional facility, whether informally linked to the "outside" community or actually affiliated with specific outside organizations, must have the approval of the Deputy Commissioner for Program Services. *Curios*
2. The total number of group activities, frequency of meetings, and/or the membership size of any given program are to be limited at the discretion of the Superintendent of the facility, subject to approval of the Deputy Commissioner for Program Services.
3. The operations of all inmate group activity programs will be under the administrative control and responsibility of the facility.
4. All programs of group activity will either be under the direct supervision of facility personnel or if conducted by volunteer staff, general supervision will be provided by facility personnel. *Dangerous*
5. Ideas for group activities may emanate from a variety of sources (i.e. inmates, staff, and/or representatives of the community). *Should only emanate from the group members*
6. Prior to the consideration of any group activity program and/or formation of an inmate organization, the inmates or sponsoring group must submit a brief written statement to the administration, outlining the intended goals and objectives of the proposed programs. Contained in this resume should appear the planned number of inmates involved, desired frequency of meetings, time of meeting, equipment (whether provided or needed), necessary space and furnishings, anticipated financial resources (if any), qualifications for membership, proposed publications, and anticipated special events related to the proposed program. **NOTE:** Once such group *makes possible program around elections intended to open doors*

further clarification

make possible program around elections intended to open doors

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activities have been established if it is the desire of the membership to change the goals and objectives a written statement of revised goals and objectives must be submitted to the administration and forwarded to Central Office for approval as per the original program proposal procedures.

7. The responsibility for assessing the need for a particular type of activity and the incorporation of such into the overall programmatic structure of the facility rests with the Superintendent (or other facility administrator so authorized by the Superintendent).
8. The Deputy Superintendent for Program Services or his designee shall review the proposed program with appropriate staff in the facility to study the feasibility of implementing this program. It should be determined, for example, whether the proposed goals are in conflict with or a duplication of existing programs provided through the regularly scheduled academic or vocational training divisions or by other inmate organizations and/or group activity programs. (NOTE: Program may overlap or duplicate an existing program if it has been determined that additional capacity is needed.) Anticipated problems as related to security and/or staffing should also be examined at this stage in the planning process. The Deputy Superintendent for Program Services should submit to the Superintendent within seven (7) days his recommendations regarding the advisability of initiating this group activity.
9. Once the proposed group activity has been reviewed at the facility it shall be forwarded by the Superintendent within seven (7) days with accompanying recommendations (positive or negative) to the Deputy Commissioner for Program Services in Central Office.
10. The Deputy Commissioner for Program Services or designee shall make the final decision as to approval, limitations or rejection in - communicating the decision in writing to the requesting parties within a period not to exceed thirty (30) days from submission of the original request at the facility. Copies of this decision shall be sent to the Commissioner, both the Superintendent and Deputy Superintendent for Program at the facility and any other appropriate departmental staff or outside community representatives.

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B. Implementation

Once a program has been approved by the Deputy Commissioner for Program Services, the following should be noted in reference to implementation:

1. The Superintendent of the facility shall designate a staff person as supervisor of the group program (or approve the designation of a duly registered volunteer who will work under the general supervision of a staff person).
2. Supervisors of Volunteer Services should assist this staff supervisor by recruiting individual volunteers, service groups, or other community resources which might be available to serve in an advisory and/or sponsorship capacity to a group of inmates interested in developing a particular inmate group activity program (e.g. photography club, Puerto Rican culture program, consumer education program).
3. Volunteer participants from the community should be duly registered through the facility Volunteer Service Office. In addition to the registration of groups, all individuals who will be coming into the facility on a regular basis must also be registered. The usual procedure of checking references is also to be followed.
4. Any institutional staff person interested in offering ongoing assistance and guidance to an inmate group activity program should make known this interest to his or her supervisor.
but the group having to say this
5. All institutional staff group leaders must participate in an orientation program before assuming any supervisory role. Ongoing training programs shall be developed on an as needed basis by the Supervisor of Volunteer Services.
who is these organizations the Administration
6. A monthly report of the group activity shall be submitted to the Deputy Superintendent for Program Services by the staff supervisor. Where feasible, such reports should include minutes of meetings as prepared by inmate members of the respective organizations.
7. All movement of materials (e.g. supplies, tools, tapes) in or out of the facility must be approved in advance in writing by the staff member designated by the Superintendent as administratively responsible for supervising the group's activities.

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This doesn't say letterheads cannot be printed in the facility.

8. When feasible, space may be provided as a regular meeting area and/or depository for a group's papers or supplies. No organizations, however, will be given exclusive right to any space since multi-use of all available space is necessary to promote maximum program activity.
9. All incoming and outgoing mail will be subject to regular institution procedures. Letters sent out of the facility on behalf of a group or organization must be approved by the staff supervisor and MUST bear a return address that includes the name of the correctional facility from which it is sent.
10. Letterhead may be used by an inmate organization ONLY if the name of the correctional facility is clearly a component of such letterhead. Any expense incurred in printing letterhead will, of course, be assumed by the inmate group and/or outside sponsors.
11. Requests for special projects (including those with a fund-raising focus) and for special occasion programs (award celebrations, festivals, etc.) which would occur as a supplement to the regularly scheduled group activity should:
 - a. be made in writing to the staff person assigned as direct or general supervisor of the group;
 - b. be reviewed by the Deputy Superintendent with recommendations to the Deputy Commissioner for Program Services;
 - c. be received by the Superintendent; and
 - d. be sent by the Superintendent with recommendations to the Deputy Commissioner for Program Services for final approval or rejection.

To allow thirty (30) days for the approval process and a reasonable period of time for planning and implementation at the facility it shall be required that all such requests be submitted sixty (60) days prior to the special project target date.
12. Invitations to be sent to outside community groups for participation or attendance at a facility function must be approved by the Superintendent and accompanied by a covering letter or other form of validation from the facility administration expressing a mutual desire for the forthcoming visit.
13. Failure of group members to adhere to any policy or procedure set forth for inmate organized activities will be grounds for a temporary suspension of

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the program or project involved. No later than one week from the date of suspension the Deputy Superintendent for Programs will forward a full report with recommendations to the Deputy Commissioner for Program Services for final determination in the matter as it relates to a permanent suspension.

14. Inmate organizations already formerly approved by Central Office or given tentative approval at the facility will be allowed ninety (90) days from issue of these guidelines to submit, in writing, a statement, constitution, or set of by-laws which clearly indicates adherence to the guidelines as issued.

*Handle 7
of want us to alter
constitution to meet
policies of this
directive*

C. Membership

1. Qualifications for membership in any inmate group activity and for organization shall be set forth in the original proposal for the formation of the organization.
2. Membership in a facility-based organization cannot be denied any inmate on the basis of race, religion, or creed.
3. Membership in an inmate organization is not open to Department staff or to the community at large. Staff and outside representatives of the community serve as advisors, sponsors, or in a supervisory capacity as so authorized by the facility administration. Under no circumstances do staff or community representatives serve on a policy making board or become a member of the inmate organization.
4. The total number of organizations in which an individual inmate retains a membership shall not exceed three (3) and in no single time period, shall he (or she) be permitted to hold an office in more than one organization.
5. If the payment of dues is to be included as a requirement for membership the original proposal for the formation of the organization must clearly define:
 - a. The amount of dues to be requested from each member.
 - b. The use to be made of such funds.
 - c. The means by which it can be guaranteed that NO interested inmate who meets other qualifications for membership would even be denied membership because payment of dues would, for him, pose a hardship.
 - d. Additional information regarding dues may be found in Section III, Fiscal Management.

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will not act as members
relationship

outrageous

6. No operational linkage or inter-relationship is to exist between memberships of similar organizations established in separate facilities. (e.g. an inmate Jaycee organization may have a linkage to an outside Jaycee group which may in turn have state and national linkages with other Jaycee organizations. This Department, however, does not recognize a functional relationship between the Jaycee Program, for example, in the Auburn facility and the Jaycee Program in the Wallkill facility since, in each case, the program has been approved for operation based on the needs of each respective facility.)
7. An inmate's membership in a facility organization terminates when he ceases to be an inmate at that facility.
8. Former inmates who, upon return to the community, transfer their membership status to a related "outside" organization, will be allowed to attend a meeting of the inside group only if specifically permitted to do so by the Superintendent of the facility (and the parole office in the case of a person under parole supervision).
9. Membership in any group activity requires that an inmate be in a regularly scheduled program prescribed for his benefit. Failure to participate fully in said program and/or assignment to special housing will automatically bring about a temporary suspension from the group activity.
Has to go
10. Membership in a group activity program and/or inmate organization does not entitle the individual to any special privileges other than those normally allowed inmates of a particular institution. Likewise, it does not require that any person be given a special work assignment in the institution. Meetings and other activities must be conducted at times that do not conflict with regular institution programming.
How about an extension of the night school program
11. In the event that members of inmate group programs are invited by outside organizations to attend seminars, conferences, or conventions which may contribute to the educational or vocational improvement of the individual inmate, the participation outside the facility can only be authorized by the Department in keeping with the laws, rules, and regulations governing temporary release.

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8

Requests for such temporary release shall be made to the Temporary Release Committee at least 30 days prior to the scheduled date of the activity.

III. Fiscal Management:

A. Establishment of Accounts

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1. A single checking account will be established under the control of the facility Superintendent or his designee for the receipt and disbursement of the funds for all approved inmate group programs. The title of this account will be (Facility Name) Inmate Occupational Therapy Fund.
2. An original book of entry, Daily Receipts and Disbursement Journal, will be utilized wherein individual receipts and disbursements by inmate group will be recorded. Each approved inmate group will have a separate two part column wherein all receipts and disbursements will be recorded daily, totaled weekly and posted to the Facility General Cash Book and to the individual Inmate Group Account Ledger.
3. A ledger account will be established for each approved inmate group. These accounts will be subdivided into two areas as follows:
 - a. Area A will reflect the receipt and disbursements of all funds received in the form of dues and specific donations.
 - b. Area B will reflect the receipt and disbursements of all funds received in the form of proceeds from sales of products or services rendered by that group.
4. The facility administration will assume responsibility for accounting, control and auditing of all monies received at the facility for use by any approved inmate group. Monthly reconciliation of the Occupational Therapy Bank Account will be completed and individual inmate group account balances will be reconciled back to this total.

B. Receipts of Cash

1. All monies received for any inmate group shall be deposited in the Inmate Occupational Therapy Fund Account.
2. All monies received from outside sources or through the sales of a product will be acknowledged by the issuance of a press numbered receipt when received.

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**APPENDIX J: NY DOCCS DIRECTIVE 4760 INMATE GROUP ACTIVITIES AND
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- a. Press numbered receipt books will be secured for all approved groups where necessary. The cost of these books will be borne by the inmate group.
- b. Monies received will be acknowledged by the issuance of a press numbered receipt. Distribution will be as follows:
 - 1) Original retained in Receipt Book
 - 2) First copy to Fiscal Office
 - 3) Second copy to Sender or Purchaser
 - 4) Third copy to Inmate Group Coordinator
- c. Receipts issued will indicate if the monies received are for the payment of services rendered, sale of articles, or donations to the inmate group.
- d. At the end of each day, all monies received and receipts issued will be recaped on a control form by group in duplicate. All cash and Copy #2 of each receipt issued will be turned in to the fiscal office with both copies of the control form. Acknowledgement for this cash will be made on Copy #2 of the control form and returned to the Program Coordinator for his records. Additional copies of the control form may be completed if required.

3. Monies received in the fiscal office will be deposited as indicated in Item A. Appropriate entries will be made in the Daily Receipts and Disbursement Journal (III.A.2) to each inmate group account receiving cash.

C. Disbursements

- 1. All disbursements, for any purpose, from the Inmate Occupational Therapy Fund will require the approval of the Facility Superintendent or his designee with final approval to be made by the Deputy Commissioner for Administration at Central Office.
- 2. Expenditures of monies received in the form of proceeds from products sold or services rendered shall be governed by Correction Law, Section 198 Amended by Chapter 240 Laws of 1974.
- 3. Expenditure of monies received in the form of dues or donations to a specified group shall be used for the operational expenses of that group only. Too confining
- 4. All disbursements will be recorded daily in the Daily Receipts and Disbursements Journal (Section 1 Item B) charging each inmate group affected.

**APPENDIX J: NY DOCCS DIRECTIVE 4760 INMATE GROUP ACTIVITIES AND
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D. Miscellaneous

1. The Deputy Superintendent of Administrative Services shall be responsible for monitoring financial records of all Inmate Organizations.
2. dulous > Donations or contributions by an inmate group to any individual either within or outside any facility will not be permitted. Donations to charitable organizations shall be governed by Directive #4202.
3. Sales of products to Department employees and all members of the public are taxable. Facilities that do not have a New York State Certificate for the collection of taxes should apply to the Department of Taxation and Finance for one. Taxes collected will be deposited into the Occupational Therapy Account and a check will be drawn to Taxation and Finance as per their standard reporting system.
4. If annual dues in an organization have been established at an amount that exceeds \$5.00, it will be necessary to establish a procedure whereby the inmate who is transferred may be reimbursed for his "unused" dues on a prorated monthly basis. In those cases wherein it is deemed necessary, one additional month's dues may be retained to offset expenses incurred as related to membership termination.

NOTE: In some instances, it is possible that the total dues paid would exceed \$5.00 and reimbursement would not be made. Example: A Jaycee Program has established member dues of \$15.00 of which \$13.50 will be sent to the State and National Jaycees for the purchase of consultant services, written materials, etc. Since the portion of the dues retained in the facility organization chapter of Jaycees is under \$5.00, no reimbursement of dues would be required. The inmate, upon transfer to another facility, would pay in joining the Jaycees only that portion of the dues retained by the chapter in this facility to cover the balance of his membership year.
5. Monthly statements can be provided on request to the staff person designated in Section 11 by the fiscal office for each inmate group.

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6. No inmate, whether or not he is a member of an organized group activity, is allowed to directly transact a sale of goods he has produced as an individual, with another inmate, Correctional Services Department staff, or individual(s) from the outside community. Such sales may only be made through the staff person so designated by the Superintendent as responsible for the supervision of the inmate group activity program (includes arts and crafts programs as well as inmate organizations such as Jaycees).

The sale of such goods shall be subject to the rules and regulations set forth under the Fiscal Management section of this bulletin in keeping with the Correction Law, Section 198 added by Chapter 240, Laws of 1974 - Inmate Occupational Therapy Fund.

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ATTACHMENT A

CORRECTION LAW, SECTION 198
ADDED BY CHAPTER 240
LAWS OF 1974
INMATE OCCUPATIONAL THERAPY FUND

1. The commissioner of correctional services may authorize the superintendent or director of any correctional institution to establish an inmate occupational therapy fund for the receipt of proceeds from a product sold, as authorized by section one hundred ninety-seven, by one or more inmates as incident to an avocational or vocational project approved by the commissioner, including but not limited to art, music, drama, handicraft, or sports.

2. Pursuant to rules, regulations or directions of the commissioner, moneys of the fund may: (a) be made available to the superintendent or director to be used for the general benefit of the inmates of the correctional institution wherein the product was produced, including but not limited to, furnishing materials and supplies to an inmate or inmates for an avocational or vocational project and the transporting of a product thereof for sale, display or otherwise and for recreational activities; or (b) to be disbursed as follows: (i) an amount equal to the proceeds from the sale of a product produced by one inmate may be deposited to the account of such inmate pursuant to section one hundred sixteen of the correction law; or (ii) an amount equal to the proceeds from the sale of a product produced by two or more inmates may be divided equally among such inmates and deposited to their respective accounts pursuant to section one hundred sixteen of the correction law.

3. In determining the amount of the proceeds from a sale of a product that may be deposited to the account of an inmate, the commissioner of correctional services may provide for the deduction from the sum of the proceeds the reasonable expenses of the department of correctional services incident to the sale, including but not limited to, the value of materials and supplies for the production of the product supplied without financial charge to the inmate and the expenses of transporting the product for sale or display or otherwise.

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